

Legal
Immigrants

August 1998 \$3.95

a publication of
STATE.NET

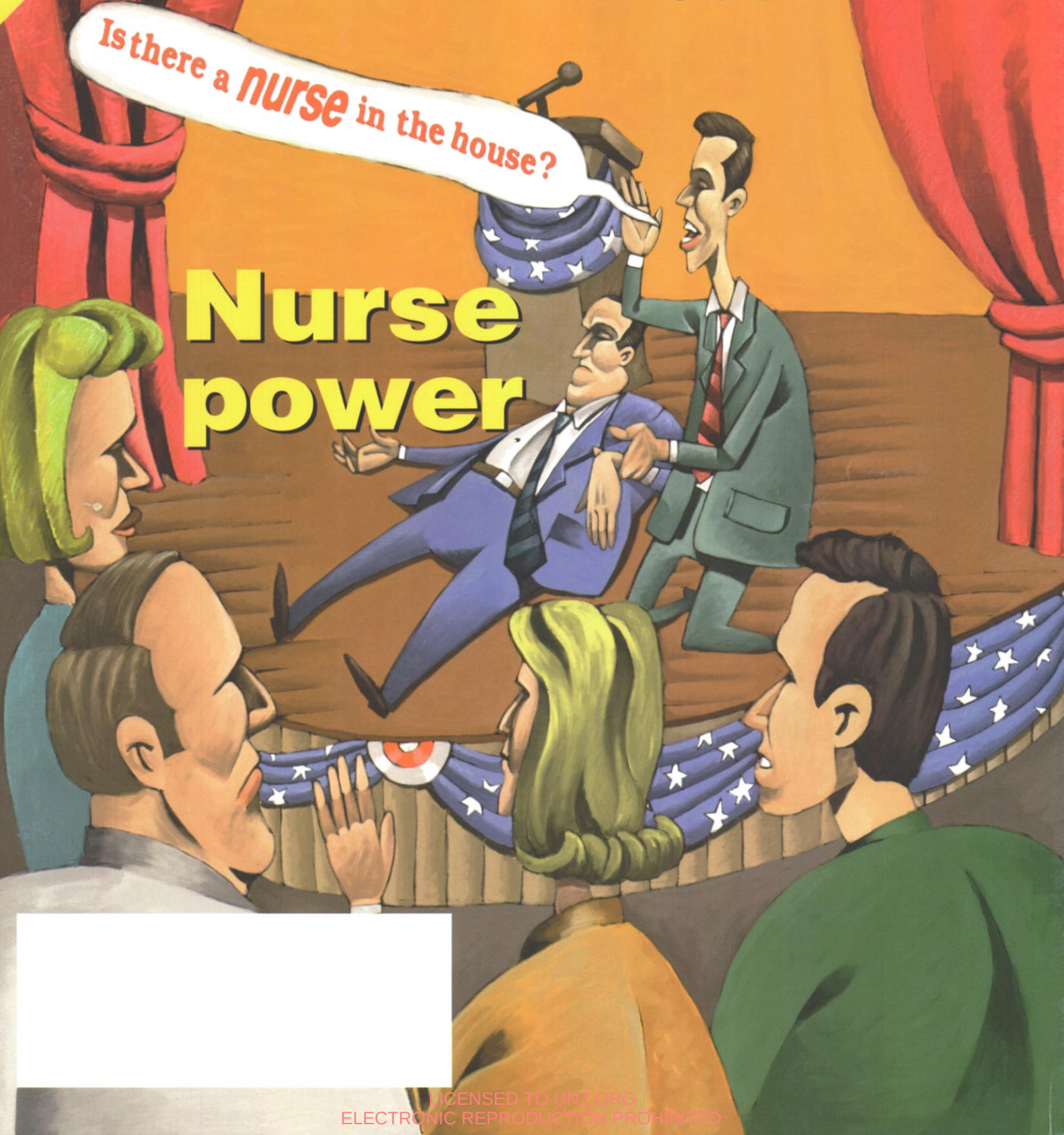
California

JOURNAL

Independent analysis of politics and government

Is there a *nurse* in the house?

Nurse power



YOU CAN'T BREATHE YOUR HEART POUNDS YOUR CHEST TIGHTENS YOU FIGHT FOR EVERY BREATH



It's terrifying. It's asthma. And it kills some 5,500 people a year, many of them children.

And it's getting worse.

Asthma has reached epidemic levels in California, with a half-million children afflicted. In 1995, nearly 18,000 kids were hospitalized for asthma-related conditions in California, where hospitalization costs are 47 percent higher than the national average.

Sadly, hundreds of thousands of young California asthma sufferers are being denied access to new medications that can keep them out of the hospital and breathing easy.

There is a solution: The State Legislature is now considering AB 1816, a bi-partisan

measure making the newest, most effective asthma medications available to kids on MediCal.

By preventing life-threatening attacks and reducing costly hospitalizations, AB 1816 will save lives and tax dollars — so we all breathe a little easier.

For more information, call the Asthma & Allergy Foundation of America at 1-800-624-0044.



— [A brief history of dental protection] —

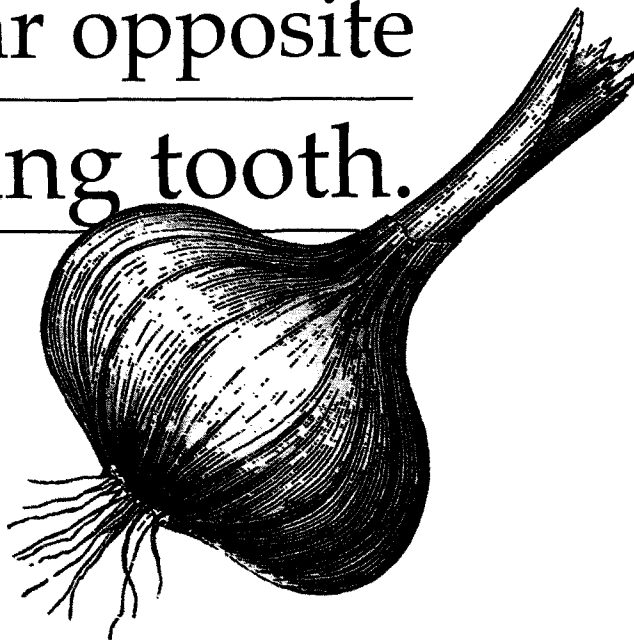
Rub a slice of *onion* on the ear opposite the aching tooth.

Once upon a time, that was the standard treatment for a toothache. And in case that didn't ease the pain, you could also try spitting into a frog's mouth and then asking it to heal the aching tooth.

**Dental protection
has come a long way.**

**Just ask any of our
12 million subscribers.**

Thank goodness dental care has come a long way since then. Take us, for example. We're the number one dental carrier in California. With a comprehensive range of both managed care and traditional



plans that can save you money. Not to mention the fact that Delta Dental has the largest network of dentists in the state. So if you'd like to learn just how advanced dental protection has become, give us a call at 800-933-9312 or visit us on the internet at www.deltadentalca.org.

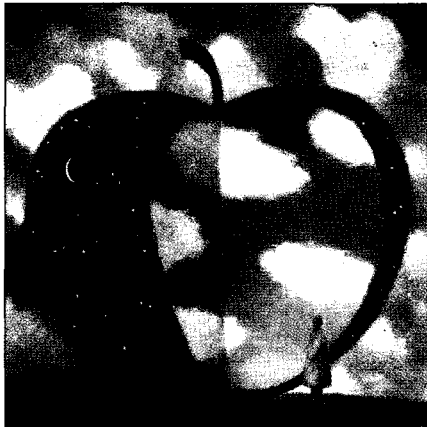
DELTA DENTAL®

Delta Dental Plan of California

We keep you smiling™

L o t s o f c o m p a n i e s h a v e
a m i s s i o n s t a t e m e n t .
H o w m a n y h a v e a m i s s i o n ?

Our mission? Create better ways to reach out and help make sure people get the health care they need. We are not newcomers to this goal. ■ In fact, we've



already committed more than 160 million dollars towards initiatives specifically designed to build access, not walls. One example is USQA®, the national database we use to identify people who need access to special care. And to remind members to see their physicians for critical check-ups and screenings. We've also teamed with Johns

Hopkins to create IntelliHealth, the most comprehensive online consumer health information network. Another investment yielded the Academic Medicine and Managed Care Forum. Through it we've funded research to improve access to care. ■ And we've joined with the American Heart Association in warning women about the number one threat to their health—heart disease. Simply said, we're putting our money firmly where our mission is. That's the price of entry for having one to begin with. ■ For our brochure on how we are raising the quality of health care, contact us at 1-800-AETNA-42 or our Quality Center at www.aetnaushc.com.



Raising the quality of
health care™ in America.

8

California Nurses

With California's nursing shortage putting the state dead last in a nationwide ranking of RNs per capita, nurses demand higher pay, broader authority and more respect. CNA president Kit Costello is at the forefront of the movement.

By Sigrid Bathen

16

Workers From Abroad

California's high-tech and farming interests say they need more visas to bring in workers from overseas, but officials ask, Why not train and hire U.S. citizens?

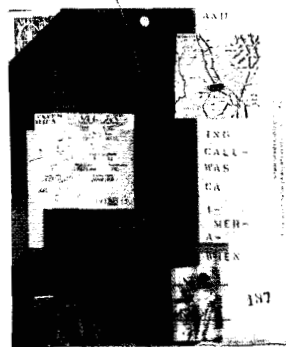
By Anthony York

26

A Democratic Showdown

Richard Katz refuses to cry "uncle," giving hope to the GOP that a vote recount will alienate some Democratic Latino voters.

By Steve Scott



30

His Willieness Speaks

Two years into his tenure as mayor of San Francisco, Willie Brown compares life in the Big City to his salad days as Top Cat of the Capitol.

By James Richardson

38

Initiatives and Dollar Signs

Secretary of State Bill Jones aims to close a loophole in disclosure laws that obscures how much money gets poured into initiatives.

By Charles Price



Up Front

6

Two Cents

7

Southern Exposure

25

The Bottom Line

36

State of the State

41

Washington Perspective

42



Cover illustration by Anthony Strom

Upfront umbrage

Reverse suffrage. When Assemblyman George House (R-Hughson) steps to the microphone in the state Assembly, one never knows what to expect. Last month, over a two-day period, House offered an almost prehistoric view of who deserves the right to vote and who doesn't. Expounding the theories of Greek philosopher Polivius, House described the descent of democracy into mob rule. "That is, when the vote is extended to everyone, those who have not as well as those who have, then it becomes mob rule, and they will deprive the government of its substance, because they [the have-nots] will have the greater vote." House punctuated his talk with a warbled rendition of a Depression-era song touting the old age pension. But the next day, he was at it again, warning that mob rule equals the suicide of democracy. "Our forefathers were aware of these theories when they built into the constitution a property right for voters." His point? Simply this: "The extension of the vote to the have-nots, reading from Polivius, which is the greater mass which brings about the suicide of the democracy, is what has happened in [the Democratic] party." Hmmm. At what point exactly did we descend from democracy to "mob rule?" When non-property whites got the vote? Blacks? Women? In the last century, this "mob" of have-nots survived a depression, elected Republicans and Democrats as president, and did most of the fighting and dying in five hot wars and one "cold" one. An unimaginable sacrifice made by people holding to the belief that a government of, by, and for the people doesn't discriminate on the basis of real estate.

California outpost. Facing the old "term limit blues?" Then come to Micronesia — island paradise and official retirement community for California's termed-out Democratic pols. First there was ex-Secretary of State March Fong Eu who was, in 1994, tapped as the U.S. ambassador to the small island nation. When Eu stepped

aside, travel brochures landed at the doorstep of Diane Watson, the five-term Los Angeles state senator who is also facing term limits. Watson was the first African American woman to serve in the Senate, and she may be the first African American woman ever to serve as ambassador to a country that ends in "nesia." Watson certainly represents a change of pace for the Micronesians. While Eu is a well-liked political figure, Watson can be something of a grouch with her colleagues. Diane Watson, diplomat. Who'da thunk it?

Campaign kismet. In all likelihood, Doug Ose owes his nomination to the U.S. Congress to what, at the time, looked like a bad break. Ose's political consultants, McNally Temple, were planning a television spot highlighting the many absences of Ose's GOP rival, Assemblywoman Barbara Alby (R-Roseville). They had wanted to shoot the commercial using Alby's vacant Assembly chair, but the Assembly sergeants wouldn't allow it. As consultant Ray McNally tells it, they were up against a shooting deadline when he remembered the old fashioned Hawaiian hula dolls, with the hips that swivel. After frantic calls to, among other places, the Honolulu Airport, they found one at a Sacramento thrift shop. McNally says he spent the night before the shoot in his garage spray painting the doll's grass skirt. Result: "Hula Girl," one of the primary's more memorable spots and an instant poll mover for Ose's come-from-behind effort against Alby. Here's betting that Alby would have fared better had the Assembly sergeant let the cameras in.

Want to reach a California Journal editor? Want to comment on a story or column? Want to tell us a fat piece of gossip for Up Front? E-mail us c/o edit@statenet.com.

"Democracy is the abuse of statistics."

— Jorge Luis Borges

California JOURNAL

Independent analysis of politics and government

Editor

A.G. Block

Managing Editor

Cynthia H. Craft

Senior Editor

Sigrid Bathen

Political Editor

Steve Scott

Associate Editors

Claudia Buck, Noel Brinkerhoff,
Kathleen Les, Melanie Smith,
Anthony York

Contributing Editors

Lou Cannon, Lance Izumi,
Sherry Bebitch Jeffe,
Susan Rasky, Marc Sandalow

Editorial Assistants

Sean J. Campbell, Tippy Young

Circulation

Tim Foster

Art Director

Dagmar Thompson

Art Staff

Suzanne Raney

Advertising Representative,

Mary Foy, 4M Advertising
(916) 422-1377

Advertising Coordinator

Erica Pahl
(916) 444-2840

Founding Publisher

Thomas R. Hoeber



Services & Publications

- 50-state on-line legislative and regulatory reporting •
- On-line legislative and regulatory reporting for California, Colorado, Illinois, Michigan and Pennsylvania •
- State Net Capitol Journal • Legislative guidebooks for California, Florida, Pennsylvania, Maryland and New York •
- California Journal • California Political Almanac •
- California Journal On-line • 50-state legislative Directory •
- Rosters on Diskette • Books & Seminars

For more information call:

(916) 444-0840

CALIFORNIA JOURNAL is a monthly, non-partisan, non-ideological analysis of California government and politics established in 1970. The Journal is available on-line through StateNet, Nexis/Lexis and Westlaw. It is indexed in Public Affairs Information Service, New York Times Information Bank, Sage Urban Studies Abstracts and Urban Affairs Abstracts. *California Journal* (ISSN 0008-1205) is published monthly. Subscription rates: Libraries and Government Agencies, \$59.00; Corporations and Associations, \$95.00; Special Individual rate, \$42.00. Address all inquiries to *California Journal*, 2101 K Street, Sacramento, CA 95816. Telephone (916) 444-2840. Copyright 1998 by Information for Public Affairs, Inc. Periodicals postage paid at Sacramento. POSTMASTER: Send address changes to CALIFORNIA JOURNAL, 2101 K Street, Sacramento, CA 95816.

Two Cents

commentary

Women's Work

Lorrie Morris was an 18-year-old student nurse working in a county hospital in 1947 when she learned a harsh lesson about proper doctor-nurse etiquette, which in those days included standing whenever a physician entered the room. "I was working a night shift," she recalled when I interviewed her more than three decades later for a 1979 *Sacramento Bee* series on the role of nurses in health care. "A doctor walked in and felt I had not stood up quickly enough. He hit me across the head and knocked me out of the chair."

A petite even-tempered woman who later earned advanced degrees and became a nurse-practitioner for Planned Parenthood in Sacramento, Morris had been filling out patient charts on that 1947 evening at the nurses' station and hadn't seen the arrogant doc come in. "My reaction now would be to fight back," she said, "but that was 1947 and I was 18 years old and I knew there wasn't any recourse in the world."

She doubted whether a doctor would get away with hitting a nurse on the head in 1979, but, still, when disagreements arose between physicians, still mostly male, and nurses, still and now mostly female, it was usually "just the word of a nurse" against that of a doctor. So it was for an operating room nurse at Sutter Memorial Hospital in Sacramento on February 11, 1977, when she noticed anesthesiologist Dr. William Miofsky acting "strangely."

"I was walking by the anesthesiologist," she testified two years later in Sacramento Superior Court, where Miofsky had been charged with sexually abusing anesthetized female patients, one a 12-year-old girl. "I glanced to my left and noticed he had his penis in the patient's mouth." She reported her startling observation to another nurse, who confirmed what she had seen. She also told the surgeon performing the operation on a 52-year-old female patient.

It would be two years before Miofsky was banned from the operating room at Sutter Memorial, during which time other nurses reported "strange" behavior by the physician — to other physicians, to hospital administrators, to nursing supervisors. Finally, after media exposure of the case, Miofsky was charged in what *Penthouse Magazine* called one of the "10 most bizarre sex crimes of the 20th century." He pleaded no contest to two counts of oral copulation and one of lewd acts against a child under 14 and was sentenced to Atascadero State Hospital. His medical license was revoked. He was released in 1985.

Numerous state licensing violations were uncovered in the resulting spate of investigations at Sutter Memorial, which temporarily lost its national hospital accreditation, and two physicians and three nursing supervisors were the

targets of state competency investigations for failing to "act responsibly on information they received." After lengthy appeals, none was ultimately disciplined, or charged. More than 150 civil suits filed by horrified patients were consolidated and settled in 1983 for several million dollars.

I was a legal affairs writer for *The Bee* when the Miofsky case broke. The criminal case was intriguing enough, but I found the hospital cover-up — doctors covering for each other in the age-old process of "peer review," nurses fearful of retaliation if they told the horrific tale outside the confines of the hospital, nursing supervisors covering for physicians — at least equally as troubling, illustrative as it was of a health-care system ostensibly designed to protect patients, ultimately operating to their detriment.

What emerged was a chronicle of all manner of patient abuse — some of it sexual abuse of female patients by incompetent, drug-addicted or deranged physicians who were rarely disciplined — and a growing militance among nurses determined to be recognized for the skilled professionals that they were.

As increasing numbers of women have become physicians — and as doctors have lost much of their historic power with tougher state disciplinary standards and the advent of managed care, the health-care system in the late 1990s increasingly turns to nurses and other "lower-level" practitioners, less expensive than doctors, to carry the load. Registered nurses often go on to earn advanced degrees, and nurse-practitioners now perform patient care at levels not long ago reserved for physicians — often in remote rural areas or "underserved" urban ghettos. Nurse-midwives routinely deliver babies.

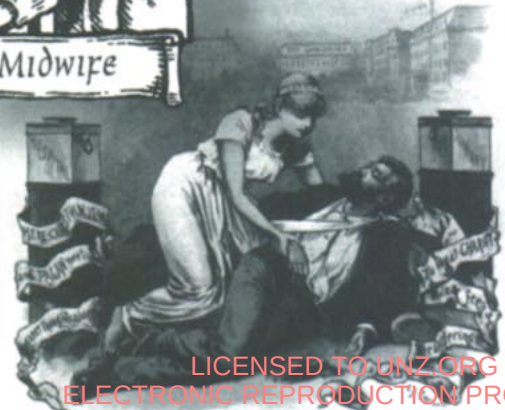
But areas of friction remain, and are the subject of an examination of the changing role of nurses in California health care, beginning on page 8. Nurses are frustrated by state laws governing their "scope of practice" and feel intense pressure, as do physicians, from the managed-care juggernaut to see more patients in less time. Nurses increasingly report severe job dissatisfaction and insist patient care is jeopardized by health-care downsizing.

While generally more subtle than, say, knocking a nurse off her chair, tales of abusive or insulting behavior toward nurses by physicians and hospital administrators continue. Nursing remains a heavily female occupation — the largest female-dominated profession in the country — and nurses say they suffer from the persistent mythology of nurses as passive handmaidens in the medical hierarchy. "The gender implications facing nursing," journalist Suzanne Gordon wrote in her recent book on nursing, *Life Support*, "continue to be both fascinating and troubling." 🏠

— Sigrid Bathen



PANAMA PACIFIC INTERNATIONAL EXPOSITION - 1915



Some of the photos used in this article have been provided courtesy of the CNA and the School of Nursing at SCSF.

Nurses under siege

Feeling the pressures of managed care and an escalating nursing shortage that threaten their traditional role as patient advocates, nurses are rethinking their place in the health-care system.

by Sigrid Bathen

Biology made the female the nurse of the species. The first mother who leaned over the first cradle of leaves in the primitive forest was the first nurse.

—Victor Robinson, M.D.

White Caps, a history of nursing (1946)

When Jill Furillo was an emergency room nurse in the early 1980s at Brookdale Hospital in Brooklyn, New York, she wasn't making much of a salary — far from a doctor's salary — but she and the more experienced nurses routinely trained the new, inexperienced physicians. Brookdale — a large teaching hospital in a "medically underserved community" with an impoverished and largely uninsured patient population that used the ER as its



primary care physician — had one of the highest volumes of trauma cases in the state, and there was no time for ego.

"The doctors relied on the nurses, totally," recalls Furillo, now governmental affairs director for the California Nurses Association. "We had the expertise. We had the training. We were there every day." Occasionally, a new doctor would come in — a "Mr. know-it-all," trying to lord it over the nurses, make sure they understood who was in charge. "He'd get quickly put in his place." Today, she says, "there still are physicians out there who believe that nurses are their handmaidens, that you're just taking a second job to help out the family."

Amazingly, in 1998, when increasing numbers of nurses are earning advanced degrees, practicing independently,

delivering babies, providing complex home care for the escalating population of seriously ill people discharged from downsized hospitals by aggressively cost-conscious health maintenance organizations, their perceived role remains in many ways traditional: caregivers, handholders, nurturers.

In California, about 95 percent of RNs are female. "It is still perceived as a woman's profession," says Assemblywoman Helen Thomson (D-Davis), a registered nurse married to a psychiatrist. "When I went into nursing, there weren't many choices for women — nursing or teaching."

While no longer perceived as one of only a few professions where women are welcome, nursing is in a major state of flux. "In past decades, RNs entered the work force after kids were in school and left when they had to take care

Kit Costello

The fiery president of the powerful California Nurses Association stirs praise, criticism.

By Tippy Young

Flanked by framed posters depicting "Nurses of Yesterday," Kit Costello is talking with reporters in the legislative offices of the California Nurses Association (CNA) in downtown Sacramento. Periodically, she jumps up from her chair to retrieve a file from a bank of cabinets — in a profession of caregivers dominated by women, the divisions between management and support staff are unclear, nonexistent even. On the wall above her head is another poster that reads: "California Women - Courage - Compassion - Conviction." For the intense, overscheduled — some would say, driven — Costello, it is an appropriate backdrop.

Costello, 43, is in her third year as president of CNA, the state's largest union for registered nurses, representing about 30,000 members — a union alternately described as unconventional, unrelenting and militant. She shows no signs of slowing down. Despite her frenetic schedule — she looks tired on this cloudy, almost-spring day, the hint of shadows beneath her eyes — she is alert and engaged. "I consider this my privilege in life," she says firmly, "to represent nurses."

Often described by her peers as energetic, intelligent, a strong advocate for nurses — and by her critics, some also peers, as dogmatic and doctrinaire — Costello's combination of experience and fearlessness is hard to ignore. "She's good



Wendy Wilson and Kit Costello at a nurses rally.

at representing the profession and telling it like it is," says Assemblywoman Helen Thomson (D-Davis), who also is a registered nurse.

A nurse for 20 years, Costello received an associate's degree in nursing from Sacramento City College in 1978 and a bachelor's in nursing with a public-health nurse certification from California State University, Sonoma, in 1983. Costello's journey to her present position as the tough-talking, sometimes unyielding head of a nurses union that many say brought the giant Kaiser health plan to its knees at

of aging parents," Catherine Dodd, a registered nurse who is the executive director of the American Nurses Association-California, testified at a March hearing of the state Senate Business and Professions Committee on California's critical nursing shortage. "Changing professions midlife while providing for a family is very difficult, so RNs stayed despite the unsatisfactory working conditions. ...Nursing today is even more demanding — physically, scientifically and emotionally. Where did the RNs who left go? Many retired. The early baby boomers were tired. The rest of us are not far behind."

Half the RNs in California are over 45, and 30 percent are over 50. Many say they are leaving the profession because of overwork and burnout. "Job satisfaction in nursing is very tied to how you feel about what you're doing," says

Thomson. "I think it's more so than in many jobs and professions. And many nurses are dissatisfied."

As their dissatisfaction grows, their militance increases. CNA, which represents about 30,000 California nurses, has moved successfully on several fronts to force major hospital chains and HMOs to accede to demands for higher salaries and better working conditions. The long, contentious CNA battle with the giant Kaiser Permanente HMO — ironically among the first major health-care organizations to pay nurses higher salaries as well as to utilize independent nurse-practitioners — made nationwide headlines when the nurses eventually won most of their demands.

The CNA successes have not come, however, without great personal and professional cost — including a bitter

the bargaining table, began when she was a young mother attempting to juggle work and family — she is married with two children, a son, now 12, and daughter, 14.

Costello's longtime association with Kaiser is intensely personal as well as professional. "I worked for Kaiser for 12 years, had my two children in Kaiser hospitals, [and] saw my son go through two neurosurgeries in their system," she

wrote in an article describing her experiences with the HMO for the CNA publication, *The California Nurse*.

While working as a registered nurse at Kaiser in 1984, following the birth of her second child, she found that her child-care costs were "about equal to my mortgage payment." Looking for some relief, she wrote a proposal for on-site child care. Based on a federal tax provision allowing employees to use pre-tax dollars for child care, she estimated that what Kaiser would save in Social Security payments for its employees participating in the plan could be used to build a child-care center.

She took the proposal to members of the CNA contract bargaining team to present to management. "I said, 'I've got this great idea, it's all written, somebody just has to take it and argue the point.' They said, 'Why don't you go?' So that was kind of how it started. I had this burning issue, and it was important for me to get it to the bargaining table." Kaiser agreed to the pre-tax program but not the on-site child care. Disappointed by the outcome, Costello accepted a position as an alternate on the collective bargaining committee of the CNA.

She steadily rose in the ranks of the union, joining the CNA's legislative and regulatory committee in 1991, the board of directors in 1993, and, in 1995, was voted CNA president. Costello's presidency marked a major shift for an organization formed in 1903 primarily as a professional association for nurses. Although still deeply involved in legislative and regulatory issues, the CNA is now known primarily as a labor union.

"What is so historically significant about the presidency of Kit Costello is that she was the first one who was bold enough to recognize the value of staff nurses in an organization," says Rose Ann DeMoro, executive director of CNA. "For many years, there were no direct-care nurses on the CNA board — this organization paralleled the hierarchy in the hospital. It was Kit and a few others who had enough self-

respect and understanding to step out of the mold and say, 'Wait a minute, there's something wrong with this picture.' It challenged the whole history of the social role of nursing."

CNA Communications Director Chuck Idelson says Costello "played an absolutely pivotal role in the transformation of an organization that for years had been dominated by nurses aligned with management and administration [into] an organization whose emphasis is patient advocacy and safe staffing for nurses."

Others disagree, saying Costello's focus on collective bargaining is too narrow. For nearly a century, the CNA had been the state affiliate of the American Nurses Association (ANA). In 1995, the CNA officially broke from the ANA in order to emphasize its collective-bargaining function, creating tension between the two nurses' organizations. "I disagree with making CNA just a union," says Catherine Dodd, executive director of the ANA-California. "I admire Kit's continued advocacy [but] I believe [the CNA] needs to be part of a national professional organization."

Costello's term was just beginning as the union was preparing to renegotiate its contract with Kaiser Permanente, the nation's largest HMO. This was the start of what would become a "very intricate, complex, and contentious 18 months" for Kaiser and the CNA, says Lila Petersen, Kaiser communications director. The CNA filed charges with the National Labor Relations Board (NLRB), seeking access to information on the HMO's patient-care standards.

The next two years were characterized by bitter disputes between the nurses union and the HMO. The CNA began an intense campaign alleging inferior patient care by Kaiser — launching six strikes at Kaiser hospitals and clinics, costing the HMO an estimated \$10 million a day. "The nurses were saying it's now or never," says Costello.

Finally, last March, the CNA made headlines when a federal administrative law judge ordered Kaiser to turn over extensive information about quality of patient care to the nurses, with a ruling that Kaiser had violated labor laws when the HMO refused the CNA's initial request for information on health-care standards. The decision was a huge win for the nurses. Costello says the CNA got "everything they wanted" out of the ruling. Kaiser takes a somewhat more inclusive view; Petersen describes the decision as a "triple header" win, for Kaiser, the HMO's members, and the nurses.

For Costello, it came down to a matter of self-respect and tenacity: "You're in the dwindling years of your career where you figure — I've done it all, I've seen it all, they can't touch me. And I'm standing up for myself." 🏠



Costello

1995 split between the CNA and its longtime national affiliate, the ANA, over collective-bargaining issues. And although the two unions officially cooperate on many legislative and workplace issues, there is no love lost between CNA and the Service Employees International Union (SEIU), one of the fastest-growing unions in the country, representing numerous classifications of health-care workers.

Nurses are increasingly flexing their newfound political and professional muscle in other ways. A recent episode of "60 Minutes" featured a group of independent nurse-practitioners, functioning pretty much like primary care physicians, but making house calls to judges in their chambers — to the distinct irritation of some New York physicians concerned about their own turf, and income, in the cut-and-slash era of managed care. Although nurse-practitioners are welcomed by physicians reluctant to establish practices in some impoverished rural outback or inner-city ghetto — where nurse-practitioners often provide the only immediately available medical care — they are not so welcome when they open offices downtown and see judges in their chambers.

When Oxford Health Plans, one of the country's leading HMOs, teamed up with Columbia Presbyterian Medical Center in New York to give doctors' wages to highly trained nurses who perform a wide array of primary-care responsibilities — the subject of the "60 Minutes" segment — physician reaction was predictable. "There are many physicians who work for me who see this as competition," Dr. Myron Weisfeldt, Columbia's chairman of medicine and a backer of the pilot program, told the *Wall Street Journal*. "Physicians who are already under stress, and who are finding it difficult to sustain their incomes while working longer hours, find this an unattractive possibility."

Advocates of increased levels of responsibility, and pay, for nurses with advanced, specialized training say the very nature of nursing, with its emphasis on prevention, counseling and hands-on care, fits ideally with the underlying concepts of managed care. And although organized medical associations generally oppose expanding independent nursing practice, individual physicians welcome them. "I don't know how I ever functioned without nurse-practitioners," Dr. Stephanie Seremetis, who directs the Women's Health Program at New York's Mount Sinai Medical Center, told the *New York Times*. "Probably in the future the best use will be nurse practitioners in independent practice, using a physician as backup."

In California as elsewhere around the nation, advanced-practice nurses such as nurse-practitioners, nurse-midwives and nurse-anesthetists are increasing in numbers and slowly broadening their "scope of practice." But they face rankling limitations from the physician lobby. "Most physician organizations work well with nursing," says California Medical Association Vice President Steve Thompson, "sometimes in disagreement, sometimes in expansion of scope and roles." Opposed to "totally independent" practice for RNs with advanced training, he said the CMA generally agrees with nurses' concerns about the excesses of managed care. "The challenges of managed care are fairly simple," he said. "In order to make it financially, physicians, nurse-practitioners, physicians assistants, are having to spend less time with

patients, and there is increasing frustration among health workers." He admits that doctors facing their own financial demons under managed care may well balk at increasing demands from nurses for more independence. "If I was a physician scrambling to survive in managed care," he said, "I wouldn't be a happy camper either."

Despite California's reputation as a bellwether state in health-care innovation, it lags far behind other states in the independence and status accorded nurse-practitioners. In 1994, the *New England Journal of Medicine* reported that "favorable practice environments" for nurse-practitioners varied widely among the states, with California near the bottom in a ranking of states based on such factors as prescribing authority, legal status and reimbursement rates. "Practice-environment scores" for nurse-practitioners ranged from 100 in Oregon to 14 in Ohio and Illinois. California scored 30. Certified nurse-midwives scored considerably better, at 80, with six states having scores of 90 or higher (Minnesota scored 100), and 13 with scores of 50 or less. Physician assistants in California were somewhere in the middle of the states' rankings with a score of 58.

Of the 259,818 registered nurses in California, according to the state Board of Registered Nursing, 8,477 are certified nurse-practitioners — nearly double the number just a decade ago. And perhaps nothing rankles them more than the fact that they do not have full authority to write prescriptions, which they say also limits their ability to receive direct reimbursement from insurers. A pitched legislative battle in 1995-96 modified the law somewhat, removing some restrictions on the prescribing authority of nurse-practitioners and giving them the right to "furnish" prescriptions — an odd semantic quirk that prevents them from authorizing prescriptions for the many controlled substances monitored by the U.S. Drug Enforcement Agency (DEA). Because of the "furnishing" language in California law, they say the DEA has declined to assign California nurse-practitioners a "DEA number" permitting them to sign those prescriptions.

The ANA's Dodd, who was CNA's governmental affairs director from 1991-93 and actively pressed the 1995 prescriptive legislation for ANA, sarcastically calls the "furnishing" language in California law "the interior decorators' license" for nurse-practitioners. Because of intense opposition from physicians and pharmacists, Dodd says, "The first thing that came out [of the bill] was the 'P' word." As a result, although nurse-practitioners regularly prescribe medication, they must track down a physician to sign a prescription for a controlled substance before it can be given to a patient. The physician is listed as the prescribing authority, which nurses say can lead to confusion and skewed numbers when the DEA tracks those prescriptions — showing, for example, that a physician is writing far more prescriptions for controlled substances than he or she actually writes.

"All it really does is create a hassle for the patients, the pharmacy, the HMO, the physician and the nurse-practitioner," says Dodd. Nurse-practitioners in active practice remain furious about the law and are pressing for clarification of the "furnishing" language. "We have a lot of very restrictive laws that exclude us from doing our job," says Jeanette Morrow, state government relations director for the California Coalition of Nurse Practitioners (CCNP) and a nurse-practitioner in the emergency room at Mercy General Hospital in Sacramento. "I think most nurse-practitioners will tell

you that most doctors are supportive of their capabilities and regard it as a hassle when they have to sign things for us. They trust our judgment."

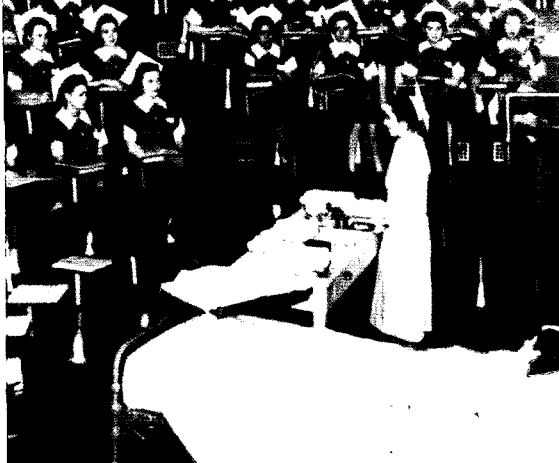
CMA lobbyist Scott Syphax said the physician's group is working "closely and cooperatively" with CCNP to try to resolve any "ambiguity" in the law as it applies to nurse-practitioners' prescribing controlled substances.

Susan Cook, a certified pediatric nurse-practitioner with Kaiser in Redwood City and a member of the CCNP board of directors, says physicians "struggling for their own economic survival" may see advanced-practice nurses as a threat, but many recognize that "there is plenty of health care out there for all of us." Nurse-practitioners can earn as much as \$95,000 annually, although most working in competitive urban areas of California are in the \$55,000-\$75,000 range. At Kaiser in Northern California, spokeswoman Lisa Petersen says nurses' salaries, including nurse-practitioners, average \$62,000. Recent media accounts place entry-level nurse-practitioner salaries at Kaiser at \$56,000, about half that of entry-level physicians. According to the CNA, most RNs in California make considerably less, perhaps \$40,000 to \$50,000.

HMOs at the bottom line increasingly rely on lesser-salaried health-care workers — and, nurses say, dangerously growing numbers of "unlicensed assistive personnel," the UAPs of the health-care world — to share the workload. A Kaiser hospital in San Jose was recently cited by the state Department of Health Services for allowing unlicensed orthopedic technicians to "perform duties beyond their scope of practice [which] included, but were not limited to, suturing of tissue," after CNA filed a complaint that Kaiser was using unlicensed technicians to suture, inject anesthetics and perform other duties. Shannon Sutherland, an RN and attorney who is CNA's regulatory policy specialist, says the practice is "systemic" in other hospitals. Kaiser officials insist the incident at its Santa Teresa Community Hospital was an isolated one that was dealt with immediately and that the CNA is "exaggerating."

Cook, a nurse for three decades and one of the pioneers as a nurse-practitioner in the early 1970s, says the increased reliance of HMOs on advanced-practice nurses, while recognizing their value, also comes with enormous stress. "HMOs don't really acknowledge what we bring to the practice," she says. "They recognize that we are less expensive and provide high quality care. They have this great deal. But the time constraints are very difficult."

Hospital and HMO officials dispute that assessment, saying staffing is determined by patient needs. "Demands for health care far exceed resources," says Maureen O'Haren, executive vice president of the California Association of Health Plans. "Ask yourself, do you need a nursing degree to bring food to people, to change bedpans?" Dorel Harms, an RN who is a vice president of the California Health Care Association, which represents hospitals, says staffing ratios



"Job satisfaction in nursing is very tied to how you feel And many nurses are dissatisfied."

— Assemblywoman Helen Thomson (D-Davis)

are adjusted depending on the seriousness or "acuity" of patients' conditions. As patients are discharged earlier under managed care, she said nurses are particularly crucial in determining patient acuity. "I think managed care has probably enhanced the role of nurses," says O'Haren.

Nationally, according to the California Strategic Planning Committee for Nursing, established by legislation to address nursing education and staffing issues statewide, California ranks the lowest among the 50 states in the proportion of RNs per 100,000 population — from a high of 1,710 per 100,000 in the District of Columbia to a low of 566 in California.

As the state population increases by an estimated 21 percent from 1997 to 2010, that shortage will become even more severe, particularly in critical-care, public health, home care and advanced-practice specialties. Dodd says California produces fewer nurses with baccalaureate degrees than any other state; educational standards for the degree may vary widely among the campuses of the CSU, and many programs are seriously impacted.

Several legislative proposals to increase training are moving through the Legislature, with little fanfare, very limited funding and varying success — notably SB 1816 by Senator Richard Polanco (D-Los Angeles), which would appropriate \$145,000 to further assess the nursing work force in California; AB 2429 by Assemblyman Wally Knox (D-Los Angeles), making grants available to community colleges to provide additional training for RNs in understaffed specialty areas; AB 695 by Assembly Speaker pro Tempore Sheila Kuehl (D-Santa Monica), to require minimum nurse staffing ratios in acute-care facilities, strongly opposed by hospitals and HMOs; and AB 1439 by Thomson and Assemblyman Brett Granlund (R-Yucaipa), to require all health personnel to wear "plainly readable" badges with their names and credentials.

At the heart of the controversy over California's looming nursing shortage is the state's fragmented system of nursing education. Gone are the hospital "diploma schools" of early nursing, replaced by a complicated system of training in community colleges (a two- or three-year associate's degree), state universities (the increasingly touted bachelor's in nursing) and the University of California (mainly for graduate programs in specialty areas). A nurse with a community college degree — the majority of nurses practicing today in California hold such degrees — who wants to continue her education faces formidable challenges, particularly if she is working and raising a family.

"As an associate degree nurse, I was an excellent nurse," says Patricia McFarland, executive director of the Association of California Nurse Leaders (formerly the Organization of Nurse Executives) and a member of the Strategic Planning Committee for Nursing. McFarland, who has been with Mercy Healthcare in Sacramento for 21 years, now holds a master's in nursing. "When I earned my bachelor's degree, I had a much better understanding of the whole of health

care. Education is power, and the opportunity for nurses to pursue an advanced degree should be available. But nursing is still a woman's profession, for many single moms, single breadwinners. They need more help through CSU. We have made it too difficult. We have to knock down those barriers."

The debate over how much education a nurse needs has been around since the beginning of nursing — and remains the source of considerable friction among nurses. Much of the bitterness between CNA and ANA-California stems from a perception among "direct-care" nurses like fiery CNA President Kit Costello (see page 10), a longtime Kaiser RN in Sacramento, that nursing has been dominated by the so-called "nursing elite" — nurses with advanced degrees, nurse-educators and specialty nurses. "You had this anomaly in CNA that 90 percent of the members of the organization were direct-care staff, nurses doing bedside care, and yet the CNA was dominated by the elite," says CNA spokesman Chuck Idelson. "The direct-care nurses became increasingly irritated." And in 1995, with Costello at the helm, they took over the leadership of the CNA, splitting with ANA.

In 1996, CNA split with its sometime ally, sometime rival



**Catherine Dodd, ANA-Calif
executive director**



**Rose Ann DeMoro, CNA
executive director**

union, the SEIU, in part over the wording of HMO initiative reform proposals. The result was two separate but similarly worded initiatives (Propositions 214 and 216), terminal voter confusion, and the defeat of both. The expensive initiative battle further exacerbated already fragile coalitions within nursing and related health-care fields.

Dodd and other nursing leaders outside the CNA say the latter has pressed an aggressive collective bargaining agenda to a fault, and that the hard-line views of the leadership make any cooperative discussion among the various elements of the health-care behemoth more difficult — a view disputed by CNA officials who point to their active legislative and regulatory agenda as well as their union organizing.

"The attitude is that you can agree with them 95 percent of the time," said one prominent SEIU official, who asked not to be named, about CNA leadership, "but disagree once, and you are an enemy forever." The SEIU also points to the predominantly white composition of RNs, while less skilled workers and licensed vocational nurses (LVNs) are heavily minority. "You walk into any hospital except in a couple of inner-city ones, and the nursing work force is all white, while the technical staff and the LVNs are [mostly minority]," says SEIU Local 250 President Sal Roselli, whose Northern California union, with 45 percent minority membership, represents 40,000 health-care workers. CNA hotly disputes that notion, pointing to statistics that — while not entirely reflective of the state's general population — show California RN's to be 66 percent white, 24 percent Asian and Filipino, 4 percent black and 5 percent Latino.

In a major political departure from years past, some of the disputes over educational and collective bargaining issues have turned increasingly bitter among nursing groups historically conditioned to "get along" with each other. CNA leaders are sanguine in the face of their critics, pointing to their victory over Kaiser as well as other successful hospital organizing drives throughout California. "This is a group of women who basically subsidized an industry with the cheapest labor available," says CNA Executive Director Rose Ann DeMoro, a collective bargaining specialist who is not an RN. "It was stunning how little they were paid. Then, with the women's movement, more options opened to women and the nursing profession became more undesirable" as a career goal for women.

Although they often disagree on strategy, nursing leaders uniformly equate the murky status of the profession with the fact that it is populated so heavily with women. "The hospital hierarchy is still basically male," says DeMoro, who has done doctoral work on women's rights issues. "There is a genuine, deep, profound institutional sexism in the health-care industry, and there is a long history of discrimination against direct-care nursing." Discrimination by hospitals, health plans, physicians, and even, she says, by other nurses "conflicted" by their training as caregivers and their own desire for status in a viciously competitive health-care bureaucracy. Ironically, she adds, as nurses advance educationally and professionally, "the genuine heartbreak occurs when they find they don't have power." 🏠

**Tenth Annual Envisioning California Conference
CALIFORNIA'S TAXING EVOLUTION:
THE LEGACY OF PROP. 13
September 24-26, 1998**

Capitol Plaza Holiday Inn, Sacramento

KEYNOTES AND PLENARY SESSIONS

Patt Morrison, LA Times Columnist and NPR Commentator

Richard Rodriguez, Essayist and Author

Proposition 13 at 20:

A Debate Between Peter Schrag and Craig Stubblebine

Potentials and Prospects:

How Will the Next Generation Solve California's Problems?

CONFERENCE PANEL SESSIONS

Proposition 13: Consequences and Considerations

A Taxing History: 150 Years of Revolts and Results

Local Government: Reform from the Outside In

Community College and Public Libraries: 20 Years Later

Direct Democracy: Divisive or Desirable?

Is Public Education Fixable?

How are We Teaching Our Teachers?

SPONSORED BY

The Center for California Studies, CSUS

The Public Policy Institute of California

The California State Library



Early Registration \$75, due by September 11

For more information call 916.278.6906

CONTRACEPTION IN GOOD FAITH

“As a Catholic woman, a wife, a mother, a theologian, and an ardent listener to women’s stories, I’m something of an expert on the church’s teaching on contraception. And I know that it just isn’t right.



ROSEMARY R. RUETHER
Professor of theology
at Garrett-Evangelical
Theological Seminary
in Evanston, Illinois.

I’ve talked with Catholics all over the world, many of them struggling with poverty and hopelessness, and they have also rejected the ban on contraception. Using their own experience and their understanding of justice, love, and right and wrong, Catholic couples most often decide that, for them, using contraception cannot possibly be wrong.

Their intuitive judgment is backed up by innumerable church authorities. There were the Washington, D.C. priests who risked censure in 1968 by publicly stressing the right of Catholics to disagree in conscience with *Humanae*

Vitae’s continuation of the ban on contraception; the 400 European theologians who in 1989 criticized the elevation of the contraception teaching to a rank higher than it deserves, and pointed to the need for the church’s teaching authority to respect the views of the faithful; Bishop Kenneth Untener’s lament that the U.S. bishops behave like a ‘dysfunctional family’ by refusing to acknowledge doubts about the teaching; and the German bishops’ 1993 admission that Catholic couples have a difficult time with the teaching, and that ultimately ‘conscience constitutes the decisive authority in personal ethics.’ And those are just a few examples.

But it seems that this overwhelming evidence that the teaching is unworkable and even unworthy has fallen on deaf ears. The Catholic hierarchy, including the U.S. bishops, have their ears tuned only to the commandments from Rome that contraception remains an important authority issue and they must resist its acceptance and availability. It’s a shame.”



Worn correctly, it can prevent unintended pregnancy, AIDS and abortion.

Catholics for Contraception believes that the bishop’s mitre should be the symbol of justice and mercy, not a rigid rejection of human sexuality and truly responsible parenthood. Having failed to convince Catholics not to use contraception, U.S. bishops now work to keep it out of reach. They forbid Catholic medical facilities to offer condom counseling or contraceptive services to anyone. And they push a public policy agenda affecting Catholics and non-Catholics alike — lobbying Congress to slash family planning aid for poor couples overseas, and to block legislation requiring equitable health plan coverage of contraception here at home. It is time for a change.

Catholics for Contraception

A Project of **Catholics for a Free Choice**

1436 U Street, NW, Suite 301, Washington, DC 20009

Phone: 202-986-6093 Fax: 202-332-7995 Email: cffc@igc.apc.org

To learn more, please contact us.

The battle over legal

High-tech companies and high-powered agriculture say they need a constant flow of skilled workers from abroad. But organized labor says there are plenty of American workers around to fill the perceived void.

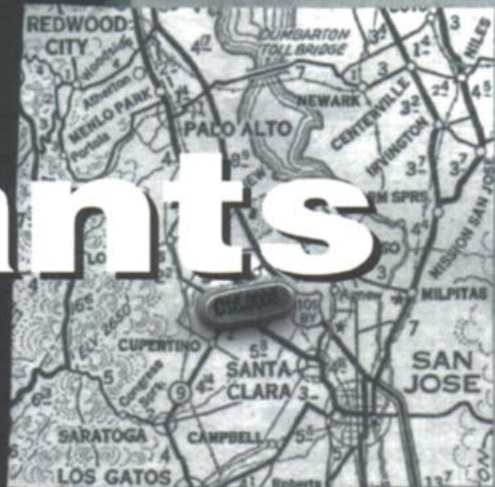
by Anthony York

"...Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!"
—Emma Lazarus, *"The New Colossus,"* 1883

These words, brazenly advertised at the base of the Statue of Liberty for more than 100 years, serve as a testament to the United States' history of accepting immigrants and refugees from other nations. But in the wake of California's Proposition 187, which sought to cut off state benefits to illegal immigrants, and a 1996 federal law that targeted illegal immigrants, political discussions of immigration issues nationwide are likely to touch upon some newly scabbed wounds and economic concerns, while creating some peculiar political alliances.

For a prominent example, consider the unlikely pairing of California's high-tech industry and agricultural lobbies, which are pushing hard for federal immigration reforms to increase foreign workers in those two sectors of the economy — two of the most profitable in the state — over strong objections from organized labor.

immigrants



ING
CALL-
WAS
CA
I-
MER-
A-

Experienced Immigration Law Firm will process your H-1B visa petitions (foreign temporary workers).

WHEN

KJE
16,000

187

Washington lobbyists representing the high-tech industry say the shortage of qualified workers is threatening the rapid growth afoot in their sector. A national coalition of high-tech businesses, under the ad hoc umbrella group American Business for Legal Immigration, is calling upon the federal government to boost the number of visas issued to college graduates from foreign countries, known as H-1B visas, from 65,000 to as many as 115,000 over the next two years.

"In 1997, we ran out of H-1B visas for the first time [since the program's inception in 1990]," said Monica Gliva, a spokeswoman for the organization whose members include Intel and Microsoft. "Last year we ran out in August, and this year, we ran out in May. There is a high-tech, skilled worker shortage, and this legislation will bridge the gap with that skill shortage."

A funny thing happens when the high-tech industry talks — politicians listen. Praised by Governor Pete Wilson as the driving force in California's current economic boom, the high-tech industry is the goose that lays the golden egg for the California economy and receives all of the political attention that comes along with the title. The industry also has proven adept at playing both sides of the partisan political lines in its maiden forays into the political arena. Earlier this year, Silicon Valley executive Reed Hastings used the threat of a ballot initiative to push a charter school reform package through the state Legislature. Recent campaign swings through the Valley from such prominent and ideologically diverse politicians as House Speaker Newt Gingrich, (R-Georgia), California Attorney General Dan Lungren and Vice President Al Gore highlight the courting efforts politicians routinely make to the fledgling industry.

One tangible result of the high-tech industry's new-found political influence was the passage of S. 1723 in the U.S. Senate this spring. Authored by Senator Spencer Abraham (R-Michigan), the bill would bump the number of H-1B visas by 50,000 over the next five years. The measure passed by an overwhelming 78-20 margin, including "yes" votes from Senators Dianne Feinstein and Barbara Boxer.

But the Senate bill must be recon-

"I think it's unfortunate and
that it is perhaps a sad
commentary on the inability
of California's present school
system to supply the skilled
workers necessary ..."

— Governor Pete Wilson

ciled with a similar measure currently logjammed in the House of Representatives. The House bill, authored by Representative Lamar Smith (R-Texas), calls upon the high-tech industry to foot some of the cost for training programs for U.S. workers to keep up with rapid job growth in the industry. It would also require companies to verify that they have not laid off an American worker to hire a foreign one and that the company made an attempt to recruit domestic workers. Gliva called those stipulations "cumbersome and unrealistic."

A peculiar coalition including liberal Democrats loyal to labor, the Clinton administration and quasi-isolationist Republicans have rallied around the protections to domestic workers offered in the Smith bill. In a May 20 letter sent to the House Judiciary Committee outlining the administration's position on the issue, U.S. Attorney General Janet Reno "has called upon the private sector to establish training programs and partnerships with educational institutions to give U.S. workers the skills needed for these jobs." The letter went on to call upon businesses "to help provide for additional training opportunities for U.S. workers" adding that "this training should be funded through a modest H-1B application fee paid by employers."

Smith called the alleged labor shortage into question, pointing to 122,000 layoffs in the high-tech sector over the last six months as evidence that companies could draw from the domestic labor pool. "Where have those 122,000 American workers gone after losing

their jobs?" he asked rhetorically. When asked about the Smith bill, Gingrich deflected a discussion of dissent within Republican ranks, opting instead to criticize the Clinton Administration. "As you know, the president has threatened to veto the Senate bill," Gingrich said on a recent swing through the Silicon Valley. "They have taken a pro-Labor Department, pro-union, pro-regulation, anti-business approach to this matter."

But Gingrich did call for penalties for companies that "abuse" the visa program. Some companies, such as Tata Consultancy, an India-based technology firm that employs 1,500 workers in the United States, make no effort to recruit U.S. workers. Tata does all of its employment recruiting in

India which critics say allows them to pay wages that are significantly less than wages an American worker with comparable skills would expect. Tata was the second-largest user of the H-1B program last year, hiring more than 1,100 foreign workers. Gingrich did not endorse specific sanctions but made it clear that his ideas stopped well short of the provisions outlined in Smith's bill.

Wilson also has chimed in for raising the H-1B cap with limited strings attached, saying the shortage illustrates shortcomings in California's education system. "I think it's unfortunate and that it is perhaps a sad commentary on the inability of California's present school system to supply the skilled workers necessary, and I think we should heed the implicit warning there and get busy changing that situation," Wilson said.

Like high-tech, agriculture also claims a perilous shortage of workers to harvest, prune and work its fields. Some of California's largest growers are pushing for reforms to the government's current system of bringing in guest workers from other countries, predominantly from Mexico, to work on a seasonal and temporary basis.

Farming interests say they are willing to pay for some of the transportation and housing costs to bring additional labor to the nation's agricultural regions. But unlike workers here on H-1B visas, growers have endorsed a plan that would withhold up to 25 percent of

the agricultura. guest workers' wages until they return to their native country.

"That would be their incentive to go back," said Manuel Cunha, president of the Nissei Farmers League, which represents more than 1,000 growers in the San Joaquin Valley and other parts of Central California. "They would have 30 days after their work permit ended to claim the money in their home country. If a worker did not go back, he or she would lose the option to come into the country ever again."

Cunha maintains that while unemployment rates in California's 18 leading agricultural counties remain more than twice the state average in many places, it is not a fair representation of the actual economic situation.

"What you've got now is a lot of double-dippers," he said. "A lot of people doing agricultural work are working under a fake document and collecting unemployment on a real one." Cunha estimates that up to 5 percent of people collecting unemployment in the Central Valley may be defrauding the government.

Mark Schacht, deputy director of the California Rural Assistance League

Foundation, called Cunha's claims "obviously self-serving and flatly unprovable." Schacht says the push for changes in the current guest-worker program is an effort by large growers to flood the agricultural labor market.

"There is absolutely no labor shortage in agriculture, and there hasn't been," Schacht said. "The industry wants to control wages and working conditions. They want to keep wages low, and these programs contribute to the oversupply of labor."

Schacht added that the growers' willingness to pay for housing for the new workers is disingenuous. "The new program appears to require them to pay for housing, but in reality, it doesn't. The language they use in the legislation is a term of art that refers to virtually no one in the industry, and is actually aimed at gutting the housing requirement."

The inherent mistrust between business and organized labor groups illuminates the political minefield that politicians, particularly Democrats, must navigate when discussing these volatile immigration issues. While the issue stands to be resolved in Washington,

these topics have nonetheless surfaced along the gubernatorial campaign trail in California. Although the state has no official say in federal immigration policy, the future governor of the nation's most populous state, home to 40 percent of the nation's immigrants and the pre-eminent producer of agricultural and high-tech products in the country, is sure to have an important voice in the behind-the-scenes debate.

Both Democrat Gray Davis and Republican Dan Lungren have come out in favor of extending the H-1B program. But Davis' endorsement was conditional, telling the *San Jose Mercury News*, "We ought to ask these companies to contribute to the training of California's students."

The issue is dicier for Davis, who must simultaneously appease the labor base that helped him win the Democratic nomination in June, while not alienating a growing economic and political powerhouse in California. "Look, we're taking an incredible political risk on this," said Davis campaign spokesman Garry South. "But our view is, if you just have an open-ended program where we bump the visa cap

California health policy and industry news...

STAT

You want all the latest in California health policy and industry news, and you want it now.

Look to *California Healthline*, a free, daily electronic news briefing gathered from more than 300 newspapers, trade journals, broadcast news reports, and other sources.

California Healthline - provided by the California HealthCare Foundation as part of its commitment to strengthening the public debate on health care policy.

Register to receive your FREE subscription to **California Healthline** at <http://news.chcf.org>. For a limited time, a faxed subscription may be obtained by calling (800) 818-2243.

year after year, there is no incentive for businesses to retrain American workers. It cannot just run *ad infinitum*."

Many of the people calling for increased legal immigration also supported recent state and federal measures cracking down on illegal immigrants. Cunha, for example, says that while his industry is dependent on increased foreign labor, the U.S. border should remain strictly controlled. His organization did not take a stand on California's Proposition 187 but did endorse the 1996 federal immigration reforms that placed more troops at the U.S.-Mexican border and raised the stakes for people caught in the country without proper documentation.

"You've got to control the borders because of all the other problems that could arise," he said. "I've spent time down at the border, and the most disheartening thing is all the drugs and prostitution that goes on. There's no way you can just open up the border. You really have to lock the door, but leave open a revolving window for people legally coming in and coming back."

Politicians such as Feinstein and Gingrich endorsed the 1996 federal legislation, while Lungren and Wilson were both avid supporters of Proposition 187. All four now support changes in the country's legal immigration policy. Labor groups say that is a political paradox. "Our immigration policy is

being dictated by private, special interests in the business community," said Amy Dean, executive director of the South Bay Labor Council. "It's interesting to see all these people who were hammering away on illegal immigration now supporting businesses on this issue."

But Gliva, from the American Business for Legal Immigration, maintains that legal and illegal immigration issues are unrelated. "With illegal immigrants, you're dealing with border crossings and things like that," she said. "We're not even talking about the same kinds of people coming into this country. These are highly skilled people. They're really coming in as non-immigrants. Their visas are only good for six years."

Immigration historian Joel Wurl, assistant director of the Immigration History Research Center at the University of Minnesota, says American immigration policy has always been more about economic and social concerns than ideology. "Most immigration legislation looks at it from the perspective of there being a problem that needs to be resolved," Wurl said. "Those problems tend to be related toward the economy."

So while Proposition 187 and the 1996 changes in the federal law were largely focused on illegal immigrants, most of whom are unskilled laborers,

Wurl said creating exemptions to cherry-pick skilled workers from other countries is nothing new. "In the aftermath of World War II, the people who were displaced as a result of the war or the Communist takeover of Eastern Europe were able to come to the U.S. outside of the system of quotas that were in place as political refugees," he said. "But they were allowed here to some extent because of their educational attainment and skills. These were the educational elite of many of these nations."

But in the Cold War era, draining human resources from the Soviet bloc also served America's political agenda vis-a-vis the Soviet Union. "It was a political black eye to the Soviet Union that these people wanted to come to the West," Wurl said. "These people were not simply the pawns in the Cold War but were also seen as potential contributors to the American economy and society."

Wurl said race and culture are also big factors in creating immigration policy in the United States. "There are always the underlying questions of what kinds of cultural traditions and values are being brought in that might in some way conflict with traditional American cultural values. Religion, language, family life, work ethics — all these things play a role."

In the current economy, computer programmers, engineers and systems analysts all seem to fall into the most-wanted category, able to enter under a program that has little federal regulation. Most of the workers on the H-1B program come from India and China, where they would earn significantly less for doing the same work. Jack Golodner, a lobbyist for the AFL-CIO in Washington, says federal monitoring of the H-1B program is so lax that many of the workers remain in the United States long after their visas are expired. Agricultural workers from Mexico, meanwhile, are penalized financially and legally if they do not agree to a round-trip ticket.

"We have a lot of preconceived ideas and stereotypes about different ethnic groups in this country," Wurl said. "Asian immigrants are generally seen as hard-working and good for the economy, while ideas of the lazy Mexican immigrant still permeate. Those old stereotypes die hard, and they've always played a role, be it conscious or unconscious, in formulating immigration policy." ■

California Nurses Association's Patient Watch Program

HMOs, hospitals, and nursing homes are cutting care to make record profits. Patients are paying the price, and registered nurses and physicians are being prevented from stopping it.

Last year, hospitals alone racked up \$21.3 billion in profits, a 25% increase, while hospitals are unsafely staffed, more patients than ever are denied access to tests or referrals to specialists, and sent home too soon.

Through our renown **Patient Watch** program, the California Nurses Association has for four years documented the tragedies of individuals and families harmed by an often merciless healthcare system.

Please write to us if you or a loved one has suffered because of short staffing or inadequate care. With your help, we can fight together for quality healthcare.

Patient Watch, 1145 Market Street, #1100, San Francisco, CA 94103
patientwatch@igc.apc.org
www.califnurses.org



Click here ▶

ABOUT STATENET



► **It's that easy**

Welcome
ST

ABOUT STATENET

WELFARE PRO



REAL

REAL

REAL

REAL

REAL

REAL

REAL

REAL

10

ATE NET



SUBSCRIBER SERVICES : 50+ CA IL MI PA OH

PEOPLE

"A standing
ovation. Your
service is so easy,
I didn't need
training of any
kind."

— one client's
response to our
new service.



Point. Click. Wow! Just one click brings the State Net world to your computer screen. State Net has always given you the most comprehensive and accurate information about state government, from bill tracking to regulatory changes to political news. Now, State Net's information can arrive on your desk in any one of 10 different ways — including the World Wide Web.

**State Net
delivers**



Our look is new,
but our style
hasn't changed.
Just click.
It's that easy!

www.statenet.com

STATE NET
Information & Intelligence
on the 50 States & Congress

2101 K Street
Sacramento,
CA 95816
800.726.4566

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Southern Exposure

perspective

by Sherry Bebitch Jeffe

HMO Reform in LA

HMO reform is shaping up as a fall campaign mantra. The issue is heating up just as Los Angeles County is launching a massive experiment in managed care for the county's 1.2 million eligible poor, mostly women and children on welfare. If managed care can work in this huge, diverse county; it can work anywhere. But failure here could thwart meaningful reform where it's needed most.

As part of a state program to move Medi-Cal recipients in 12 of California's largest counties into HMOs, L.A. County has shifted away from the traditional fee-for-service approach to Medi-Cal care and toward a so-called "two-plan model." Patients in the joint state-federal health insurance program choose between two competing health plans — a "commercial plan" that includes Foundation Health and three subcontractors, and a "local" plan, L.A. Care. It consists of one county-run and six commercial HMOs, and is, by law, "an independent entity of government, separate from the county." Both plans are paid a fixed monthly rate per Medi-Cal patient, rather than traditional fee-for-service reimbursements. The program's goals are to contain costs while offering Medi-Cal recipients increased access to health care.

This experiment has assumed increasing importance in the three years since a deep recession slammed Los Angeles County, forcing its public health-care system to the brink of financial collapse. It was rescued then with the help of a massive federal bail-out. But the county Board of Supervisors needed to generate more money to stabilize health-care funding. Participation in the managed-care program offered access to another source of revenue — a potential \$9.5 billion from Medi-Cal over a six-year period.

However, things don't seem to be working out as planned. L.A. County's venture into the brave new world of managed care remains hampered by politics, economics, and a slew of philosophical and cultural obstacles. According to the *Los Angeles Business Journal*, Community Health Plan (CHP) — the County's HMO, was targeted to have 150,000 Medi-Cal patients enrolled by April to break even financially, but as of June 1 it had signed up just about half that number. That could mean a projected deficit of \$6.9 million — and more over time, if enrollment in the county HMO continues to lag.

The county, as the health-care provider of last resort, needs those Medi-Cal dollars to help pay for services for non-insured indigents, like illegal immigrants and the homeless, who receive care at county hospitals and clinics. As the economy has perked up, however, the beneficiaries' pool has grown smaller. Welfare reform, with its limits on coverage and emphasis on moving recipients quickly off the rolls, has also shrunk the list of Medi-Cal eligibles, while increasing the number of uninsured — further fraying the

county's safety net.

In a world of plunging providers' fees and empty hospital beds, the new program has promoted a fierce marketing battle to sign-up Medi-Cal patients. Some of the worst abuses — for example, high-pressure door-to-door and telephone solicitations — have been outlawed by the state. But the fight for Medi-Cal dollars remains intense.

The county HMO has come out on the short end of this battle for several reasons. Under the L.A. Care plan, Medi-Cal beneficiaries can change both their doctor *and* health plan once a month. A high proportion of CHP members are there simply because they did not choose to enroll with another plan within the mandated time period; these "defaulted" patients are ripe for picking by other providers. "L.A. County is in trouble," bemoaned one official, "[because] we can't keep people in the system."

First, the new CHP has no name recognition or track record. It's not surprising that patients opt for better known providers.

Compounding the problem, the county and its traditional public health system have long been perceived as "consumer-unfriendly." A *Los Angeles Times* report, done after the fiscal crisis, told of the "frustration and anger" of patients forced to wait hours for previously scheduled appointments. It called the County Health Department "wasteful and inefficient — a \$2.3 billion bureaucracy in desperate need of reform." Attempts have been made to respond to such criticisms — computers are being upgraded and mission statements abound; but consumers are still skeptical.

Within the L.A. County Department of Health Services there has long existed a culture of bureaucracy, which inhibits the kind of flexibility and innovative thinking needed to adapt the county program to a new, competitive ethos. Resistance to reform is easing somewhat with new leadership — and external pressure — but cultural change still is difficult.

Is L.A. County's public health-care system heading toward greater choice and increased access to health services for the indigent? And a stronger safety net? Or toward continued retrenchment brought about by an enforced fixation on profit and the "bottom line" of cost containment — even in the wake of economic recovery? And abandonment of the most unprotected poor?

There are no answers to these questions yet. But ultimately the L.A. Care experience will help frame a debate that reaches far beyond county boundaries, to highlight the political and social choices facing California and the nation, as they redefine health care and reshape the systems which must deliver it. 🏠

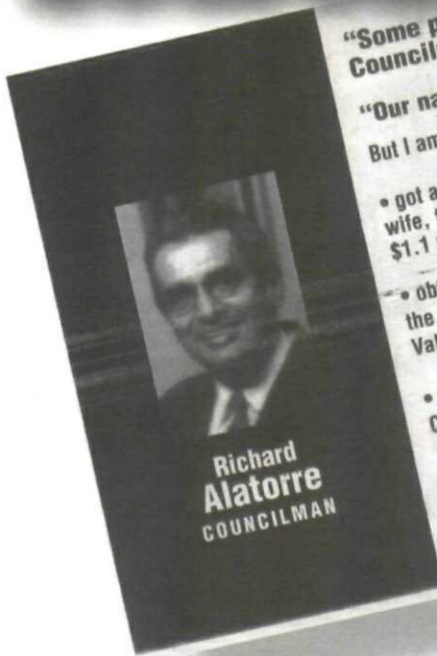
Comments regarding contributing editor Sherry Bebitch Jeffe's column may be e-mailed to editor@statenet.com.

Richard Katz Senate Committee • 6444 1/4 Bellingham Avenue • North Hollywood • CA 91606 • ID 982798

Bulk Rate
U.S. Postage
PAID
Permit No. 1265
Van Nuys, CA

It's more than Alarcon's
hands that are dirty...

Katz versus Alarcon

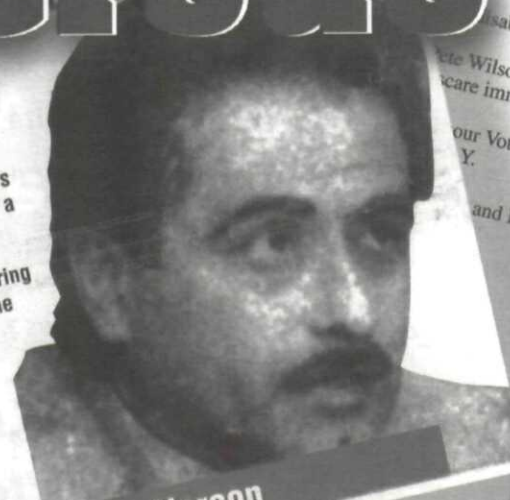


"Some people confuse me with
Councilman Richard Alatorre"

"Our names are similar."

But I am the Valley Councilman who...

- got a \$38,700 loan from a developer's wife, then voted to give the developer a \$1.1 million no interest loan
- obtained 105% home financing during the worst real estate recession in the Valley
- is being investigated by the City's Ethics Commission
- is being investigated by the California State Fair Political Practices Commission



Dear Friends,

Richard Katz attacked the first L
Now Katz is attacking Richard Alarcon.

Richard Alarcon is a
Riordan and Assemblyman

Richard Katz
7,000 you

disabled, blind and elderly

ete Wilson's Republican leaders
scare immigrants away from vo

our Voting Rights Identification
Y.

and Katz win. Don't be afraid

Richard
Senator Ri
Chairman
California L

UNITED ST
TO VOTE AND

YOUR VOTING
LOCATION

TUR
RICHARD
FOR

A bitter state Senate contest goes to a recount, exposing political fault lines developing in the San Fernando Valley. Will the scars heal, and does the discord among Democrats spell opportunity for Republicans?

RICHARD POLANCO
Chairman,
Latino Caucus

to become Speaker of the As

Alarcon

Guilty in Federal Court of

d. Bring it with you to

note.

Polanco

Caucus

CITIZENS HAVE AN OBLIGATION
TO REPRESENTATION

ce
ling Ave

JUNE 2, 1998
CON FOR SENATE
FAMILIES

by Steve
Scott

If they had been running a 100-yard dash, the difference between first and second place would have been about an inch. If they'd been horses in the Kentucky Derby it would have been a photo-finish.

That should give some idea of the closeness of the final tally this June in the Democratic primary for the 20th Senate District seat in the San Fernando Valley. After raising and spending more than \$1.5 million between them, Los Angeles City Councilman Richard Alarcon beat former Assembly Democratic Leader Richard Katz by a mere 29 votes out of nearly 95,000 cast. That's a difference of about 0.0003 percent. Percentagewise, it was the closest primary in the state last June in a contest that also happened to be the most closely watched legislative contest of the year.

With a result this narrow, it is hard to argue with Katz' desire to have elections officials take a second look at the tally. Losing by a whisker can be far more troubling than losing by a country mile. But Katz' bid for a recount has turned into more than just a desire for closure. The events of the six weeks leading up to Katz' recount bid — including those of the two weeks leading up to the June 2nd primary — have generated new fears about a deepening wedge between two of the party's bulwark ethnic constituencies — white Jewish liberals who live on Los Angeles' Westside and the emerging Latino electorate which has become an increasingly dominant force in L.A. city politics.

"It's no secret that there have been strained relationships between various constituencies of the Democratic Party at the leadership level," said L.A. Democratic political consultant Larry Levine. "You've got an emerging new power bloc in California Democratic politics. That's created a lot of tension with those being asked to share the power."

The spark for this latest brush fire among L.A.'s battling Democratic constituencies was a mailer, sent out on Alarcon's behalf the weekend before the primary. Targeted to Latino voters, the mailer included a "Voter Identification Card" and a letter, signed by Senator Richard Polanco (D-Los Angeles), a key behind-the-scenes force in L.A. politics and a major supporter of Alarcon. The letter sought to link Katz to Governor Pete Wilson, a lightning rod among Latinos, by pointing out issues where Wilson and Katz agreed.

Such mailers, though often misleading, are common in legislative campaigns. What pushed this mailer "over the line" in the minds of many was a single, somewhat incongruous sentence: "One of Pete Wilson's Republican leaders was Guilty in Federal Court of hiring guards to scare immigrants away from voting." The reference was to a 1988 incident in which the campaign of Assemblyman Curt Pringle (R-Garden Grove), a former Assembly speaker and current candidate for state treasurer, hired uniformed "poll guards," allegedly to harass Latino voters. To the eyes of many who saw the mailer, the intended implication of this sentence was clear — that Katz was somehow involved in the poll-guard incident. Katz and his allies believe he was the target of a campaign of race-baiting. "This was not 'business as usual,'" said Assemblyman Wally Knox (D-Los Angeles), a Katz ally.

When, on Election Day, Alarcon wound up 800 votes ahead, Katz cried foul, lashing out at Alarcon, Polanco, and the political consultant who produced the mailer, Polanco ally Richie Ross. "Richie Ross has proven that he's the 'Johnnie Cochran' of Democratic politics," said a furious Katz in the immediate aftermath of the election. Tension between the competing forces escalated during the counting of absentee ballots and so-called "provisional" votes — ballots submitted on Election Day by voters who don't know for sure if their original vote was tallied. Since the provisionals are placed in an envelope with the voter's name on it, these ballots were intensely scrutinized by both camps. The

jostling between competing poll watchers was so intense that at one point during the count, County Registrar Carol McCormack personally dressed down the combatants. When Alarcon's margin of victory was ultimately pegged at 29 votes, Katz began raising the estimated \$70,000 plus needed to finance a recount.

"For Democrats to criticize Pete Wilson [for race baiting] and not criticize Richard Polanco for doing it is hypocritical," said Katz. "If we're going to have any intellectual honesty, we've got to call race baiting out wherever we see it."

For Alarcon and his allies, however, it was Katz, not they, who was fanning the flames of division. It was Katz, they argued, who had rejected public apologies offered by both Alarcon and Ross. Katz, they argued, had also produced his own racially divisive mailer during the campaign, a hit targeting alleged connections between Alarcon and fellow Los Angeles Councilman Richard Alatorre, who is under investigation for various legal and ethical violations. The cover of the mailer featured a picture of mud-covered hands, and the words "It's more than Alarcon's hands that are dirty."

"From [Latinos'] cultural perspective, the 'Dirty Hands' piece was horrible," said Assemblyman Bob Hertzberg (D-Los Angeles), an ally of Assembly Speaker Antonio Villaraigosa with ties to both the Latino and Jewish communities. "We see it in a generic 'bad politics.' They see it as dirty Mexican hands, and it's really offensive."

Perhaps most disturbing to Alarcon forces is what they

When recounts count ...

In 1980, Republican Adrian Fondse defeated Democrat Patrick Johnston — until a recount overturned the result.

Adrian Fondse had only the briefest career as a California legislator. Elected in November 1980, the Stockton Republican was sworn in with his colleagues in early December after narrowly defeating Democrat Patrick Johnston by 67 votes out of 85,000 cast in the election. He was ousted less than a month later after Johnston prevailed on a recount by a margin of only 35 votes. Johnston, an aide to then-Senator John Garamendi, noted recently that the period between the election and recount was the toughest of his political life, filled with sleepless nights spent wondering where he could have found 68 more votes on Election Day.

For his part, Fondse's fleeting tenure was marked by one memorable vote, for he was embroiled in the end-game for what was, at the time, the most ferocious speakership battle in California history — the year-long brawl between then-Speaker Leo McCarthy (D-San Francisco) and then-Assemblyman Howard Berman (D-Los Angeles). McCarthy's forces had been decimated in the 1980

elections and, unable to hold the top job for himself, he had thrown what remained of his support to a fellow San Franciscan — Willie Lewis Brown Jr. With Berman still controlling half the Democratic caucus, however, Brown did not have enough Democrats in his camp to win the speakership. So he cut a deal with Assembly Republicans, led at the time by Carol Hallett of Atascadero. That bloc of 28 GOP votes put Brown over the top. Among those lining up behind Brown was rookie Adrian Fondse.

Fondse was not the only freshman voting for speaker on that December day, however. Casting his first significant vote (for Howard Berman) was another rookie whose legislative career would last slightly longer than Fondse's — a Democrat from Los Angeles named Richard Katz. Katz, backed heavily by Los Angeles' then-robust Berman-Waxman political machine, had arrived in Sacramento by defeating a one-term Republican incumbent named Robert Hayes.

— A.G. Block



Johnston



Fondse

see as deliberate targeting of Latino votes for special scrutiny during the post-election count of absentees and provisional ballots. This alleged targeting of any ballot envelope with a Spanish surname has caused some to link Katz' name with that of former Representative Bob Dornan (R-Garden Grove). The conservative firebrand became a national villain to Latino voters after he challenged his 1996 defeat at the hands of Loretta Sanchez — a challenge pursued largely through allegations of illegal voting by new Latino immigrants.

"If Bob Dornan was a crybaby of monumental proportions, then Richard Katz is certainly in that category," said Leo Briones, one of Alarcon's political consultants. "His campaign has targeted Latino votes, and I think he needs to be held accountable for that."

Is the dispute over the election really about ethnic politics? Or is it just the product of bitterness inevitably generated by the toughness of the election and the closeness of the vote? There is little doubt that part of the explanation for the ferocity of the conflict lay in the history that exists between some of the parties to it. Animosity between Polanco and Katz goes back to their days serving together in the Assembly, when Polanco tried mightily to block Katz' efforts to create the Metropolitan Transportation Authority. Polanco pointedly did not apologize for the mailer which bears his name: "I stand by what we sent out," he said. "Everything was factual."

The "history" between Katz and Ross goes back even further, by most accounts a product largely of a clash of two strong personalities. And Alarcon's most visible political endorsement came from L.A. Mayor Richard Riordan, against whom Katz ran for mayor in 1993. There also seems to be general agreement among Democratic pols in Los Angeles that Katz wouldn't even be in this fix if he had run a better campaign.

"The view held by large numbers of people in the political community was that this race was Katz' to lose," said Levine, whose only connection to the race was that he lives in the district. "Alarcon did a wonderful job of eroding Katz's support, and Katz didn't do what needed to be done to hold his base and do what he needed to win."

To the extent that independent opinion has been offered about the infighting, there also seems to be a division of opinion. Most of the clamor immediately after the election supported Katz' take on the Polanco mailer. The *Los Angeles Times* editorialized that it was "despicable," and even some L.A. political consultants who have worked with Latino candidates criticized the mailer as being a below-the-belt hit. However, many of those same institutions have also urged Katz to accept the results to keep L.A. politics from devolving into what one observer termed a "potential race riot."

"By refusing to accept Alarcon's apology, [Katz] is continuing to fan the flames on this divisive racial issue," said Parke Skeltor, a former Katz political consultant who has also done work for Latino Democrats in Los Angeles. "Clearly the [Polanco] letter was way over the line, but at a certain point you accept the apology and move on. Don't keep



Katz



Alarcon

stoking what could become a very divisive issue."

Of course, Democrats are not the only ones with their eyes on what's happening in the 20th Senate District. Having had their own dalliances with ethnic politics used extensively against them by Democrats, some Republicans are suggesting the discord could open up a

new avenue to previous Democratic strongholds. "Richard Katz has every possible Democratic Party credential," said Republican political analyst Dan Schnur, a former press secretary to Governor Wilson. "If that's not good enough, there becomes less and less reason for his followers to stick around." Schnur also sees an opening through which GOP gubernatorial candidate Dan Lungren can begin rebuilding a bond with Latino voters.

"I would guess there's a sizeable number of Latino voters who find Alarcon's tactics to be offensive," said Schnur. "Eventually, you get to a point where you realize that every politician that runs against a minority candidate can't be a racist."

Democrats, of course, downplay any prospective inroads the GOP might make into their coalition in Los Angeles. "The bad marks for the Republican Party go way beyond what has surfaced here," said Polanco. Legislative Republicans don't see a whole lot to be gained from the Democrats' disagreement. "None of our targets are in districts anywhere near the Katz-Alarcon seat," said Senate GOP caucus chief Jim Brulte (R-Rancho Cucamonga). "It's a nonissue." Even some supporters of Katz believe the discord will die down once the recount is finished. Senator Patrick Johnston (D-Stockton), whose apparent 1980 defeat in an Assembly race was overturned on a recount, says the closure provided by another tally will likely defuse much of the tension.

"When an election is that close, a candidate will not be able to live with himself unless he closes the book," said Johnston.

Still, there's enough concern that it has prompted what are described as "bridge building" efforts between the Jewish and Latino communities, efforts Polanco has vowed to become personally involved with. Meetings involving representatives of both the Jewish and Latino communities have taken place both in the San Fernando Valley and in downtown Los Angeles, all aimed at cooling the rhetorical fires. Katz believes such efforts can succeed only if the party owns up to the "race baiting" suggested by the Polanco mailer. "If people acknowledge that we have problems and we have to deal with them," he said, "then we can move on." But if, as many hope, the heat of the moment passes with the recount, some L.A. Democrats believe history will view the 20th District contest as an unfortunate, but necessary, test of Democratic unity in an era of multiracial politics.

"I'd rather have this not happen," Hertzberg said, "but it has provided an opportunity for a lot of people who otherwise weren't spending enough time together to spend more time together." 🏛️

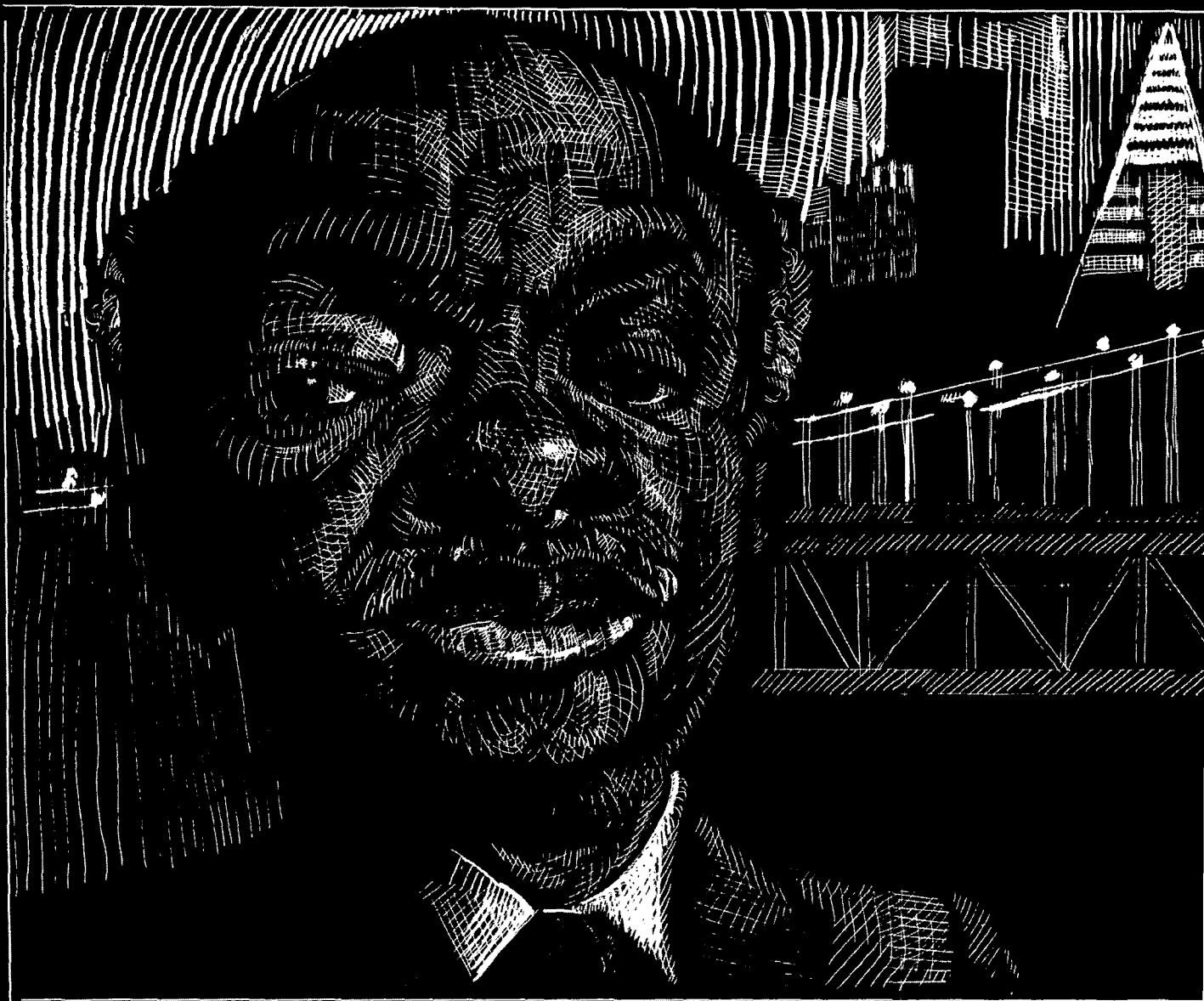
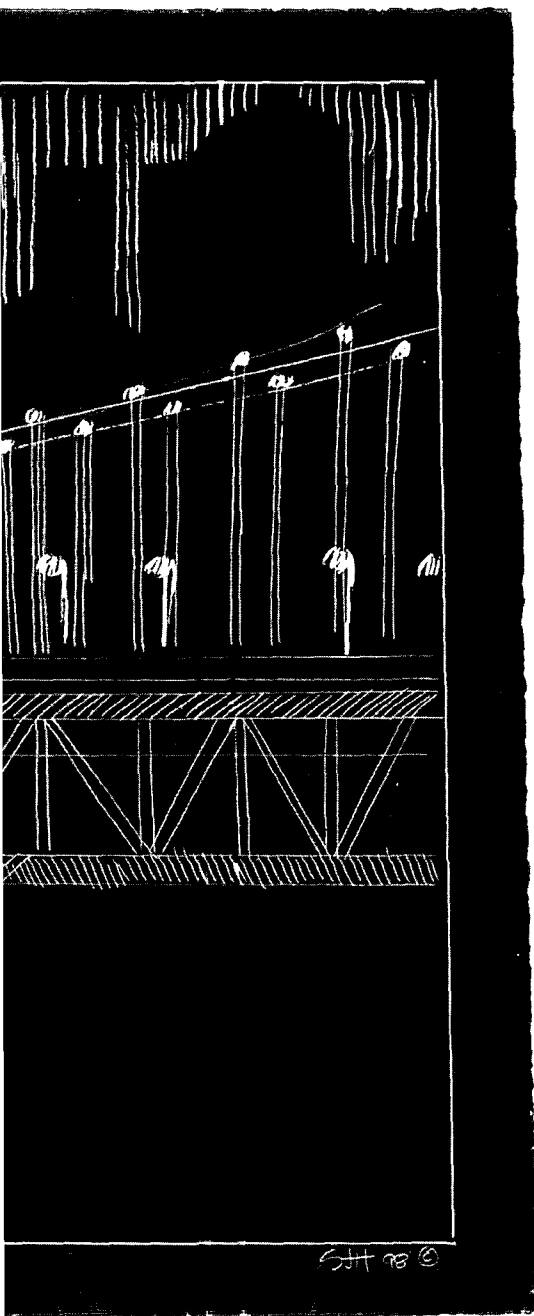


Illustration by Sandra Hoover

One-on-one with Willie Brown



San Francisco's mayor has been on the job now for two years. How does he size up his performance?

Editor's note: He served as speaker of the Assembly longer than any other legislator in history. But that was another life. Now, as mayor of San Francisco, Willie Brown must call upon a whole different set of management skills. It hasn't been a smooth ride, and he hasn't been as roundly beloved as he might have wished. Let's just say that, in the City By the Bay, with its informed and savvy electorate, the kind of deal-making Brown indulged in as Top Cat of the Capitol doesn't go down so well.

As ruler of The Dome, for example, Brown may have tucked dozens of feathers like Treasure Island into his natty cap. But in San Francisco, try a simple thing like build a power monopoly and take care of your friends and what do you get? Exposés, outrage, backlash, barbs from the press and, of all things, a wrist-slap from a civil grand jury that says the mayor needs more oversight. Such a display of blasphemy would have been unimaginable in Sacramento. But enough about that. On this particular day, in a sit-down interview with biographer James Richardson, Hizzoner discusses the less treacherous aspects of his relatively new role in government.

In a wide-ranging chat, Brown talks about his city, his role in the Bay Area region, his relationship with Dianne Feinstein and his disdain for campaign financing reform. The interview took place in May 1998 in Brown's temporary office across the street from City Hall. It was interrupted once — by a visit from Arnold Palmer.

James Richardson: *How do you like being mayor? Can you compare it to what it was like to be speaker?*

Willie Brown: It's far easier being speaker of the Assembly than being mayor of this city, and I suspect of almost any other city. But particularly this city. The level of political involvement by every person who takes a breath of life in this city is just incredible. I suspect that at birth, instead of receiving a Social Security number, newborns receive membership in a political organization or neighborhood club. And they are expected to begin to participate when they enter their first organized school activities. And it makes for a great, great challenge. Your skills and management and cajoling people into consensus is much more difficult and much more challenging in San Francisco than it ever was in the Legislature.

You also have a lot less flexibility budget-wise. You cannot pay people

by James
Richardson



what they're worth, and you cannot reduce people who are not worth it if they are already at a certain level. You cannot assign people to jobs that are comparable and consistent with their talent, nor can you remove people who, if they preceded you, are not talented. Tenure is the most important factor for consideration in assignments and employment in city government. And so that presents a major challenge, because many times you are operating or attempting to operate government and do jobs and services with the wrong players in positions. And that makes for a great challenge. So overall, it is a far more difficult task, it is a far more challenging task. But it is also equally as enjoyable.

JR: *Are you frustrated with it?*

WB: On some days, of course you're frustrated. When you see things that you ought to be able to change overnight and you cannot, it is annoying as hell.

One example: the municipal transportation system. You would want to ... correct it overnight, but it takes three years to get one new rolling stock, one new bus. That's how long the production process takes. It's not like there's a bus parking lot down in San Mateo County where you can go bring them right in. Nobody carries an inventory of buses, so if the bus system has been denied its replacement on a regular basis, you inherit that and it could take up to three years to replace just one of

those vehicles. In the meantime, you have to live with this inadequate, old, antiquated, unreliable equipment as you go about trying to change the system. And that's very frustrating.

It's the same when you attempt to change the personnel, the training mechanisms, just the selection process. It takes sometimes up to six months to get people through the labyrinth of the civil service system, to get people on for employment. It's no wonder [that] you carry more than a hundred vacancies in the public transportation system alone, simply because you can't fill [them]. And when you do commence to fill, you can only do "x" number

of persons for training purposes at a time. That makes for an annoyance.

And the same goes in almost every other category of city government. But again, if you really are in this business to be a problem-solver, you know that it was a cakewalk at the state level versus almost impossible at the city level.

JR: *As I watch from afar, it almost seems like death by a thousand cuts, with welfare recipients screaming, as you mention, everyone is politicizing the city ...*

WB: It could be if you would let it. If you would commence to bleed on each one of these disappointments ... you would have a problem. But I don't take that stuff with me, and as a result, it's of no great concern to me that the welfare folk would be out there screaming, because they're wrong. And as long as I'm comfortable that they're wrong, I'm prepared to debate with them on any circumstances.

Just as challenging, for example, the taxi cab drivers will be around screaming today. They don't want any more taxis on the streets when obviously, everybody alive knows that you do need more taxis on the streets of San Francisco.

JR: *You still have a lot of friends in the Legislature. John Burton's the Senate president pro tem. Seems that you still have a lot of influence.*

WB: I talk to them almost every

day. I talked to John yesterday, I talk to [Assembly Speaker] Antonio [Villaraigosa]. I talk to everybody up there. I talk to [Assemblyman] Kevin Shelley [D-San Francisco]. I even talk to Republicans. I owe [Assemblyman] Peter Frusetta [R-Tres Pinos] a return call from Friday. I talk to [Assemblyman] Curt Pringle [R-Garden Grove], I talk to [Senate Minority Leader] Ross Johnson [R-Fullerton]. I talk to [Senator] Jim Brulte [R-Rancho Cucamonga]. I talk to members regularly. Because the city has issues in Sacramento that have to be dealt with. I talked to [Senator Charles] Calderon [D-Whittier] yesterday.

JB: *How are you using your influence as a major state leader?*

WB: I'm doing the best I can on behalf of my city. I'm not doing anything else, frankly, statewide. Occasionally the League of California Cities will ask me to become involved in something, and I readily agree. But otherwise, I'm really confining my activity to the needs of this city and the region.

JR: *What are you doing in the region?*

WB: Well, because of all the transportation issues yesterday I spent two hours with CalTrans discussing the Bay Bridge design and the timetable for implementation. I had [Metropolitan Transportation Commission] here as well. Two weeks ago, I journeyed down to San Jose to participate in a regional conference about water transportation and about the prospects for ferry systems. Last week, I met with some representatives of Bay Trade and the Bay Council on the question of petitioning the Department of Commerce for some additional money to be used on a regional basis for international trade. So I'm very much involved in regional activities.

JR: *Is San Francisco resented by the rest of the region? Do you have to cut through a certain amount of static to be able to be present, or is being Willie Brown enough?*

WB: You got to do the politics. And I've been doing the politics, particularly with [Oakland Mayor] Elihu [Harris] and [San Jose Mayor] Susan Hammer and the mayor of Half Moon Bay. In Millbrae, I do the outreach. I spend time with the BART Board of Directors, doing what I used to do in Sacramento. I talk to them

colleague-to-colleague. I'm not yet as successful as I want to be, because I've not yet gotten the ports really talking to each other about what ought to be common for them. I haven't gotten the airports really talking to each other about what ought to be common to them. But you do have to ... remove some of the crust of opposition to San Francisco that's been there for a very long time.

We also have persons who represent both Marin County and San Francisco in the Legislature and persons who represent San Mateo County and San Francisco in the Legislature. And many times these agendas conflict and confuse them. Particularly on transportation issues, and that makes for tension when you don't have your legislative delegation on the same page because of their need to be independent on behalf of others they represent.

JR: *Are you able to bridge some of that?*

WB: So far, yes. I've been successful at it.

JR: *Is San Francisco, by virtue of its history, its economic engine, is it really the place that has to lead the Bay Area for the Bay Area to get somewhere?*

WB: In some things, but I don't think San Francisco, with its small population base, can command that. I think performance may entitle us to it on some occasions, particularly with reference to the current makeup of the White House. San Francisco has a little more clout because both Dianne Feinstein and Barbara Boxer make San Francisco the center of their activities. And when the president and vice president come in, they literally go only two places — San Francisco or Silicon Valley. And in many cases, the Silicon Valley people actually live in San Francisco.

JR: *Speaking of Dianne Feinstein, you had some tension with her in the last couple of years. Has that cleared up?*

WB: I try to work with Dianne Feinstein. She is still a little bit distant because she supported my opponent [Frank Jordan], and I think she would have preferred the opponent and I'm not sure she's changed her mind in that regard. This office works closer though with Barbara Boxer simply because there's a commonality of philosophy

and activities. But we don't take a backseat to anyone in Dianne's office.

We've [also] got Nancy Pelosi, who is like a dynamo, period. We have almost like a staffer in Nancy, whether it's the new federal building or money for the light-rail system on Third Street or for the ramps and the transbay terminal. Nancy has been the point person doing all of that. Barbara has been the point person trying to get ... a legitimate amount of money for [repair of earthquake damage at] City Hall.

JR: *I find your current relationship with Feinstein interesting in that she really started on your ticket. You were with her in her governor's race ...*

WB: The very first. I was the very first person holding an elective office to have endorsed Dianne Feinstein [in] 1969, and she won the right to head the Board of Supervisors with my system. And when Clint Reilly dumped her ... while she was still in the hospital when he was her campaign manager in the 1990 governor's race, in a meeting held with the late Duane Garrett, Dick Blum, Dianne Feinstein and me at Harris' Steak House on Van Ness Avenue, we talked her back into the race, and then I proceeded to get every one of the members of the Legislature except maybe two or three to endorse her candidacy against [then-Attorney General John] Van de Kamp. I got the trial lawyers to buy Dianne Feinstein's candidacy.

In 1992, I was equally as involved in Dianne's race. I'm the one that put together that statewide group of [house] parties. We tried to put a thousand house parties together throughout the state of California all at the same hour on the same day for the purpose of raising money and raising consciousness of Dianne Feinstein's existence. I don't frankly know why at this stage of our political careers, we're not as close.

JR: *What do you think of the recent primary?*

WB: Politics is becoming the place where a young person coming out here from Texas seeking public office could not run if this were 30 years ago with the same set of circumstances; I could not run. The combination of all this political reform on the fund-raising side and the caps on expenditures and the justifiable suspicions about anybody who takes great dollars from any single

source — all that has contributed to the poisoning of contributions. The Clinton 1996 campaign didn't help matters at all, the stuff they did to collect money and the aftermath of that and all the investigations. It's destroyed giving to candidates as a proper way to participate in the political process. We evolved to where only Bill Gates and Bill Gates types can run for public office. And that's a scary thought.

Gray Davis was the best prepared candidate in the [gubernatorial primary], including Lungren. Yet, he was the least-financed candidate. He has no money of his own. He has never done anything in life but run for public office or hold a public office or work in the public capacity. He has not married [wealthy], and he didn't put together a merger of some airlines and walk off with stock options. People who ... are able to spend [millions from their own pockets] obscure the process and the images so badly that they become the only eligible, viable candidates. I'm praying that Gray reversed that.

JR: *Do you think campaign-finance laws need to kind of be repealed?*

WB: They ought to be scrapped. The requirement ought to be you, Willie Brown, a candidate for public office, have to report every nickel you receive and report how you spent every nickel. And it should be a forfeiture of office if one nickel of that is spent for personal purposes or inaccurately reported.

JR: *And just leave it at that?*

WB: And leave it at that and let the public draw conclusions about you taking huge sums of money.

JR: *One final question. You told California Journal some years back that Willie Brown is like a cat, and a cat never jumps higher than a cat can jump. How high are you going to jump?*

WB: You may write the second version of your book. And it would be called "The Mayor."

James Richardson covered Capitol politics in Sacramento for The Riverside Press Enterprise and The Sacramento Bee. His unauthorized biography of Willie Brown was published by The University of California Press in 1996. He currently is a divinity student at the University of California, Berkeley. You may e-mail Mr. Richardson c/o editor@statenet.com. 

The Bottom Line

commentary

by Susan Rasky

Dueling liberals

Gerry Meral is at it again — this time with an air-quality improvement initiative that relies on tax credits to finance reductions in air pollution. The measure has an impressive roster of backers that includes Democratic gubernatorial candidate Gray Davis, Senate Minority Leader Ross Johnson (R-Fullerton) and major environmental groups, not to mention some of the biomass and utility companies whose money helped qualify the measure.

Amid what are already noisy and/or expensive initiative campaigns to save Indian casinos, cut utility rates and raise tobacco taxes, Meral's handiwork will probably escape the notice of most voters until they confront it on the November ballot. He's not complaining.

Who, after all, doesn't want cleaner air, and who but a handful of budget purists would object to the use of tax credits to pay for it? As Meral likes to remind them, the state and federal revenue codes are replete with tax breaks dedicated to far less public-spirited purposes. Besides, he says, by reducing air pollution, the initiative also will reduce health-care costs.

Meral, executive director of the Planning and Conservation League, is probably safe in reckoning that only masochists and editorial boards endeavor to read, let alone understand, more than the title and summary of ballot measures. But the genius of his approach is not what's in the fine print; it's what isn't.

The initiative would make a total of \$218 million a year in tax credits available over the next decade for the purchase of new equipment or retrofit of old equipment to reduce sources of air pollution. A specified amount of credits would apply to everything from locomotives and older, heavy duty trucks to fireplaces and lawnmowers, with a portion set aside for agriculture biomass conversion facilities and research and development of emission-control technologies.

"This is basically a spending program laundered through the tax code," says Jean Ross, executive director of the California Budget Project. "I don't have a problem with investing in clean air, but I'd like to see it run through the budget process. Where are the policy trade-offs, what are the full range of options?"

It's a lament that goes to the very heart of what ails California's initiative process, though Meral complains that as an environmental activist, he gets extra flak for doing what the big guys do all the time. There's some truth in that.

On the other hand, Meral, is no ordinary environmentalist and certainly no ordinary initiative entrepreneur. In an arena that gives equal policy footing to any kook, crank, ideologue or interest group with the money to qualify a measure for the ballot, he puts California's slickest political consultants to shame.

With the passage of a park bond in 1988 and two rail

bonds several years later, he pioneered the technique of winning support for initiatives by promising backers a share of the spoils. Part of his charm is that he makes no apology for the practice. Meral is best known to budgeteers for the successful 1990 initiative that outlawed the hunting of mountain lions, and in the process just happened to hijack a chunk of tobacco-tax revenues to help pay for the acquisition of wildlife habitat. While his current initiative is not nearly so audacious, it does offer tax breaks to an already highly subsidized biomass industry, which was enough to get Lenny Goldberg exercised.

Goldberg, executive director of the California Tax Reform Association and a sometimes ally of Meral and the PCL on liberal causes, is no slouch himself in waging guerrilla warfare through the initiative process. He happens to be pushing the aforementioned utility rate-cut measure, which Meral opposes. In theory, that measure has nothing to do with the air-quality initiative, but sorting out the politics behind the split should make for some interesting discussions at those ed board meetings.

Goldberg raises three major tax policy objections to the air-quality measure: First, it places no limits on the percentage of tax credit that could be used to defray retrofitting or new equipment costs. Under Meral's allocation formula, some businesses could receive tax credits equal to 100 percent of their expenditures. That, Goldberg says, is a serious departure from standard tax policy, where even the most generous tax credits don't exceed 25 percent.

Second, it adds the new anti-pollution tax credits to a growing list of state tax breaks that are exempt from the alternative minimum tax. That's not breaking new ground, per se, but it does offer one more avenue for businesses to avoid any tax liability at all. And finally, the initiative allows the transfer of tax credits to related companies in the same unitary group; in other words, permitting local subsidiaries who are awarded credits for their pollution reduction to transfer the tax break to their multinational parents.

Meral counters that most of the tax credits will go to smaller firms. "It polls well for Lenny to say 'big corporations,'" he says.

Meral also polls. He found broad public concern about air quality and an aversion to tax increases to pay for air-quality improvement. Tax credits, on the other hand, were viewed more favorably.

The initiative was carefully crafted to protect the K-14 education funding guarantee, further testimony to both Meral's political savvy and his ability to navigate the budget. The result, should any voter venture to inquire, is a diminished pool of discretionary revenue for everything else. 🏠

Comments on Susan Rasky's column may be e-mailed to editor@statenet.com.

We need "the Pill" covered by insurance...and we don't mean Viagra!

Dear Governor Wilson:

Over 38 years ago the FDA approved "the Pill" however today women still find that not every prescription benefit plan will pay for birth control. Yet Viagra receives FDA approval and within days insurers rush to consider it for their own formularies. The unfairness is not only obvious to women -- it's down right insulting.

Family planning is women's most common health care need and essential to preventative health care. The failure of health insurers to cover it helps explain why women spend 68% more on out-of-pocket medical costs than men do.

In a recent poll, three out of four Americans want health insurance plans to treat birth control like any other prescription. Yet insurers continue to ignore the importance of women's health and the value of preventing unintended pregnancy.

This discrimination needs to end now. Please sign ***The Women's Contraceptive Equity Act (AB 1112 Hertzberg/Gallegos)***, which would require California health insurers to cover contraception as they do other prescriptions. Twice before we brought this bill to your desk only to be disappointed.

Remember with three strikes you're out, so please don't fail us again. Instead, please sign ***The Women's Contraceptive Equity Act (AB 1112 Hertzberg/Gallegos)***.

The following organizations are on record in support of
The Women's Contraceptive Equity Act:

American Academy of Pediatrics
American Association of University Women
American College of Obstetricians and Gynecologists, District IX
American Jewish Congress, Pacific Southwest Region
California Academy of Family Physicians
California Abortion and Reproductive Rights Action League-North
California Commission on the Status of Women
California Family Planning Council
California Federation of Business and Professional Women
California Medical Association
California National Organization for Women
California Nurse-Midwives Association
California Nurses Association
California Pharmacists Association

California Women Lawyers
California's Women's and Children's Health Coalition
Californians for Population Stabilization
Education Program Associates
Health Access
National Abortion and Reproductive Rights Action League
National Council of Jewish Women
Older Women's League of California
Pacific Institute for Women's Health
Planned Parenthood Affiliates of California
Sierra Club
The League of Women Voters of California
United Nurses Association of California
Zero Population Growth

Tracing the



by Charles M. Price

H. Mon 683

money

Multiple ballot-measure committees often support or oppose more than one proposition on a given ballot. Does that allow them to obscure the amount of money raised and spent on behalf of a single measure?

In initiative politics as in Hollywood, “show me the money” is a common refrain. Without a whiff of the greenback, no self-respecting professional signature-collecting firm will bolt from the starting gate, and dollars are the carrots that coax platoons of paid clipboard jockeys out onto the streets, where they can earn up to \$2 a signature. Mix in the mountains of currency that consultants insist are needed to mold public opinion on the airwaves and you get a princely sum — one that Secretary of State Bill Jones persists in trying to break down in plain view of an informed electorate.

Since 1996, it’s been apparent to Jones that multiple ballot-measure committees — that is, those supporting or opposing more than one initiative on the ballot — are getting away with obscuring the amounts they raise and spend on behalf of a single measure. As the state’s chief enforcer of campaign disclosure laws, Jones is demanding that these committees, in effect, “show him the money” that they spend on particular initiatives.

By now, it’s clear that ballot initiatives — once the tool of citizen-activists trying to keep big bosses in check — are providing easy if costly ballot access for ambitious politicians and special interests. Back in the 1950s, only 18 initiatives were filed; so far this decade, more than 320 have been filed.

Qualifying an initiative for the ballot in the 1990s takes substantial sums of money — there are the filing fees, the lawyer fees to draft the initiative, the printing charges for thousands of petitions, and costs of gathering signatures. Even campaigns that rely mainly on volunteers still need paid coordinators to travel the state to organize the effort. In the least-costly qualifying drive this

decade, Proposition 140 term-limits advocates spent \$231,000 (34 cents per signature) to qualify for the ballot. And, backers of the blanket primary spent \$456,000 to do the same. Beyond these two initiatives, all other successful petition drives in the 1990s pumped from \$500,000 to more than \$2.7 million into qualifying. For example, Phillip Morris spent \$2.6 million (\$4-plus per signature) to get Proposition 188 — preempting tough local regulations on tobacco use by substituting weaker statewide regulations — onto the ballot. Even so, voters rejected it. This year, supporters of an Indian gaming initiative to allow casino-style gambling on reservations have spent an extraordinary \$10 million in a desperate rush to get on the November 1998 ballot.

After the expensive qualifying drive comes the big-bucks campaign. Backers, on average, spend more than \$2 million promoting their cause; opponents typically put more than \$1 million into trying to defeat it. Of course, some initiative campaigns in the 1990s have hit the stratosphere: Big tobacco spent nearly \$18 million for Proposition 188, and Big Green proponents spent nearly \$6 million on Proposition 128 — only to be outspent 2-to-1 by opponents. The alcohol industry poured more than \$30 million in to defeat the nickle-a-drink tax, Proposition 134; and the California Teachers Association spent more than \$23 million to defeat school vouchers, Proposition 174. In only 6 percent of 1990s initiative campaigns has spending been roughly equal on both sides.

Having the biggest pile of money to spread around is clearly an advantage, but, surprisingly, not as critical as it might seem. In only 68 percent of the contests — 57 out of 84 — did the richest side win in the years from 1976

Charles M. Price is a professor of political science at California State University, Chico. Comments regarding this article may be e-mailed to editor@statenet.com.

to 1994. The side urging the public to vote "no" had more consistent luck, winning 83 percent of the time by appealing to the electorate's natural play-it-safe skepticism.

In the years ahead, however, the monied set is likely to rule the winner's circle in a greater proportion of campaigns due to the demise of the Fairness Doctrine. Up until 1992, if one side in an initiative campaign had a flush treasury and could afford oodles of radio/TV campaign spots, the other side — presuming it had little money — could demand some free time from broadcast stations running the opponents' paid ads. This was doled out at a ratio of 3-to-1 or 4-to-1; that is, for every four minutes purchased by the wealthy side, the less affluent side would get one minute. If stations refused to provide this free time, they ran the risk of losing their broadcast license since they were using public airwaves and had an obligation to keep citizens informed of differing points of view.

It was after President Ronald Reagan's election in 1980 that the Fairness Doctrine came under attack as governmental intrusion into the private sector. In a series of rulings from 1987 to 1991, a new Reagan-appointed majority on the FCC proclaimed the Fairness Doctrine no longer in effect. Democrats have failed in their attempts to revive it since then.

"The only remaining vestige of the Fairness Doctrine is the conscience of the station manager," says Leo McElroy, longtime initiative campaign consultant in Sacramento. "Of the 600 or so radio stations in the state, fewer than a hundred these days will provide any free time to hard-pressed campaign committees," and these are mostly small rural stations, McElroy said. Moreover, only one or two out of 60-plus TV stations in the state provide the free air time, he said.

Most stations argue that they already provide different points of view — in their news programs. This defense, however, crumbles under the weighty reality of a lack of coverage of election news.

Does having the most money for an initiative campaign count more these days in the absence of the Fairness Doctrine? "Yes, absolutely," says McElroy, contending that, without free ads, some campaigns he worked on would have had no chance. For example, in 1988 insurance companies

spent \$31 million to persuade voters to vote "yes" on Proposition 104, the no-fault auto insurance measure. Opponents had only \$14,000. The free air time was decisive in providing the "no" side a chance to explain their position. Proposition 104 wound up losing 24 percent "yes," 76 percent "no."

By 1996, multiple ballot measure committees had become dominant players in financing initiatives: \$141 million was spent on 27 ballot measures and of this, about \$93 million — or two-thirds — came from 11 multiple ballot measure committees.

For example, the Chamber of Commerce California Business PAC spent nearly \$2 million supporting or opposing 14 separate measures on the 1996 primary and general election ballots. It supported Propositions 192 (seismic retrofit bond), 200 (no-fault), 201 (attorneys fees), 202 (attorneys contingencies bond), 203 (public education facilities bond), and 204 (clean water), and opposed propositions 207 (attorneys fees, right to negotiate), 208 (campaign contributions spending limits), 210 (minimum wage increase), 211 (attorney-client fee arrangements, securities fraud), 212 (campaign contributions and spending limits), 214 (health care, consumer protection), 216 (health care, consumer protection, taxes on corporate restructuring), and 217 (top income tax brackets). In addition, Taxpayers Against Frivolous Lawsuits, a coalition of seniors, small businesses, high tech industries and financial service companies raised and spent over \$40 million mainly opposing Proposition 211, but also supporting and opposing the same measures the Chamber did. Among some of the other notable 1996 multiple ballot measure committees: The Consumer Attorneys Issues PAC spent nearly \$4 million on eight measures, and Citizens For Retirement Protection spent about \$12.5 million on four initiatives.

Kirk West, director of the California Chamber's Business PAC, said his organization took on multiple initiative races because, in 1996, the primary and general election ballots were full of measures that either supported or threatened small businesses. For instance, "Propositions 214 and 216 were similar HMO regulatory measures," West said. "It was natural for us to tell voters to vote against them."

For Jones, 1996 was a turning point. "The disclosure of campaign financing for ballot measures collapsed in 1996 because numerous campaign committees simultaneously supported and opposed multiple propositions," he said in his report. "The failure of campaign disclosure in 1996 is unprecedented in California's history. Since 1921 ... detailed records have been filed with the Secretary of State ... the filings always have provided the public with reasonably good information about the amounts and sources of campaign money raised and spent to support and oppose specific propositions. That is, until 1996."

Chip Nielsen of the Taxpayers Against Frivolous Lawsuits multiple ballot measure committee contends that this is less the result of a loophole in the present reporting laws than "just another example of unanticipated consequences of reform." "Why would anyone think that a ballot committee should be limited to a single-subject rule?" asks Nielsen.

To reverse the tide, Jones supports legislation, AB 1336, authored by Assemblyman Edward Vincent (D-Los Angeles), head of the Assembly Elections and Reapportionment Committee. Under existing law, there are two types of ballot-funding committees: primarily formed committees that mainly support a single candidate or proposition, and general purpose committees — or multiple ballot measure committees — that exist to support more than one candidate or measure. These general-purpose committees do not have to identify themselves as ballot-measure committees nor do they have to file quarterly reports as do primarily formed committees.

But the bill requires that general purpose committees be designated as primarily formed committees and stipulates that these committees must indicate *per measure* expenditure information in their reports. As Vincent noted while pressing the Senate Elections and Reapportionment Committee to pass his bill, "\$93 million — two-thirds of the money spent on propositions — couldn't be traced in 1996." With money so critical in getting initiatives on the ballot and determining the outcome, Vincent, Jones and other government watchdogs hope that by January next year, reforms will be in place to allow interested citizens to track how much was spent on a particular initiative. 🏠

State of the State

commentary

by Lance T. Izumi

An education agenda

With the economy booming and crime down, education will be the hot topic in the fall election campaign. Indeed, the recent release of statewide test results showing a majority of California's English-fluent public school students scoring below the national average in most subjects underscores the depth of the problems plaguing the state's public education system.

What to do? Californians realize that simply increasing education spending isn't the answer. Al Checchi, who took state schools chief Delaine Eastin's pledge to increase California education spending to the national average, lost big. Eastin herself was forced into a run-off against Proposition 227 co-author Gloria Matta Tuchman.

Candidates searching for an education agenda should consider the following 10-point plan:

1. Block grant the state's categorical programs. One-third of the state education budget is spent on more than 50 categorical funding programs that funnel money to local school districts for specific purposes (e.g., class size reduction, desegregation, and so on). Block granting categorical funds would increase local flexibility and put more money in the classroom. Even modified block grants that require grants be spent on certain items (such as textbooks) before they are spent on other things would be better than the current system of state-mandated spending.

2. Reduce the cost of school construction. Before California taxpayers are asked to shell out billions more on school facilities, the state must overhaul its burdensome school construction regulations that the Little Hoover Commission has said "micro-manages school construction projects, delaying the completion of and driving up the costs of school facilities." State leaders must fundamentally rethink the Field Act, the state's stringent school construction law, that has created the maze of bureaucratic rules and which effectively prohibits schools from using available vacant commercial buildings.

3. Implement the state's reading and math standards. Local school districts have openly resisted implementing the state's new highly praised math and reading standards. Students should be required to meet these rigorous standards and those that don't should not be promoted to the next grade.

4. Improve teacher competency. Undergraduates applying to California State University teacher credential programs should be required to demonstrate competency in basic subject areas. Second, rather than focus solely on process and pedagogy, CSU teacher credential programs should place increased emphasis on subject matter competency. CSU education professors should also hold an appointment in a subject matter department such as mathematics. Current

teachers should be required to pass subject matter competency tests. Those that pass could be eligible for tenure, but those that don't could be given year-to-year performance-based contracts. Finally, the state should adopt the merit-pay demonstration program advocated by the Legislative Analyst's Office.

5. Reform the teacher credentialing process. Qualified and experienced out-of-state teachers must overcome time-consuming obstacles to obtain a California teaching credential. The state should make it easier for these out-of-state teachers to bring their skills to California's classrooms.

6. Directly fund charter schools. Although on paper the state can directly fund charter schools, the state sends most charter school funding to school districts which then distribute the funds to the charters. Trouble is, districts use their control over these funds to control and stifle the innovation of charter schools. The state should ensure that these funds go directly to the charters.

7. Enact a K-12 school-choice demonstration program. In a major decision, the Wisconsin Supreme Court recently upheld the constitutionality of the Milwaukee school-choice program. This should encourage California to enact its own school-choice demonstration program on the lines recommended by the Legislative Analyst's Office.

8. Enact a preschool targeted voucher program. Some state education officials have called for a universal government-run preschool program. Not only would such a program be hugely expensive, it would be another government intrusion into the family. Instead, a preschool voucher program targeting at-risk children should be considered.

9. Improve school safety. Volunteer programs such as "Parents on Campus," which allow parents to patrol their kids' schools, have been effective, as has the stationing of probation officers on troubled campuses. Most important, a model strategy should be developed for schools to coordinate and cooperate with law enforcement in sharing information.

10. Emphasize character education. The recent school shootings demonstrate the breakdown of morals among some of the young. A U.S. Justice Department report concludes that moral development training is a key to preventing juvenile crime. Character education curricula that emphasize the timeless norms of civilized human behavior should be developed.

Ronald Reagan once defined status quo as "Latin for the 'mess we're in.'" These recommendations offer a realistic way to overthrow the reigning education status quo in California. The question is, will candidates offer voters real change or more band-aids on our current education mess? 🏛️

Comments regarding contributing editor Lance T. Izumi's column may be e-mailed to editor@statenet.com.

Washington Notes

perspective

by Marc Sandalow

Susan Yoachum

Better than anyone else I've met in this business, Susan Yoachum understood how to survive the manic, incestuous, egotistical, and oh-so-serious world of politics. Equipped with a wicked sense of humor, a healthy sense of irreverence, and a quick, analytic mind, Susan barreled through campaigns like a kid going to Disneyland.

Now that she is dead, at the unthinkable age of 43, it is comforting to imagine her counseling us not to take politics too seriously. At the same time, if God Almighty exists, one can be reasonably certain that Susan has already scored an interview.

From the first day Susan walked into the *San Francisco Chronicle* newsroom in 1990, she was the nicest person at the paper. Bursting with enthusiasm ("This year's mid-term primaries could forever reshape California's political landscape," read a typical Yoachum memo), Susan was never too self-important to help a colleague, trade gossip, or share a tasteless joke. When the job of city editor became vacant several years ago, staff members took the unusual step of circulating a petition asking that Susan get the job.

But Susan was not about to give up politics. She loved her front row seat for history, and was witness to much of what has happened in this state over the past two decades.

Her first day of work at the *San Jose Mercury News* in 1978 was the day Dan White killed San Francisco Mayor George Moscone and Supervisor Harvey Milk. Eleven years later Susan was at the World Series when a devastating earthquake struck. She filed her dispatch from Candlestick Park, and was part of a team awarded the 1990 Pulitzer Prize for earthquake coverage. Susan covered the state legislature in Sacramento, the unsuccessful gubernatorial crusades of mayors Tom Bradley and Dianne Feinstein, and the senatorial triumph of Feinstein and Barbara Boxer, whom she dubbed "The Thelma and Louise of California politics."

Susan thrived on election years. When the *Chronicle* staff went out on strike just days before the 1994 election, Susan took her scoop on Feinstein's employment of an illegal immigrant to the underground union paper, to make sure the word got out.

Susan's trademark was her ability to boil things down to their essence. At her funeral this summer, *Chronicle* Managing Editor Jerry Roberts, her friend and mentor, said every time he sat down to write a eulogy, he "kept hearing Susan's voice, in that exaggerated Texas drawl, saying something she used to say every time we sat down to write: 'That's fine, Sweetie, but what's the damn lead?'"

A Yoachum lead was easy to recognize. It contained few words, but usually packed a punch.

"He touts a California that never was," she began one piece chronicling Jerry Brown's 1992 presidential campaign, "in a relentless quest for a presidency that most likely never will be."

"When Dianne Feinstein ran San Francisco," she began a profile of the former mayor, "she managed not only with her hands on, but her nails dug in."

Of Frank Jordan's drubbing by Willie Brown in the 1995 mayoral race, she wrote: "Mayor Frank Jordan will always be remembered for his infamous shower, but on election day, he took a bath."

In an analysis of President Clinton's State of the Union address Susan began: "In his fifth State of the Union address last night, the president came perilously close to giving a strong, memorable speech. Then he kept talking for another 30 minutes."

And trying to describe Pete Wilson's early presidential strategy in 1995 she wrote: "To put it in Star Trek parlance, try to think of Pete Wilson's campaign for president as a cloaked Romulan war bird, invisibly gearing up for the defining battle of its career — in about five months."

Last fall, in one of her final pieces for the *Chronicle*, Susan turned her blunt prose from politics to own health. "I have metastatic breast cancer," she wrote last September.

Susan had battled cancer before, and she knew the consequences. She never gave up. And to the end, she continued to read and write politics, because that is what she loved to do. The last story Susan and I wrote together was a calamity. President Clinton was coming to San Francisco to announce a new urban agenda. I had the Washington details and Susan was on hand for his San Francisco arrival.

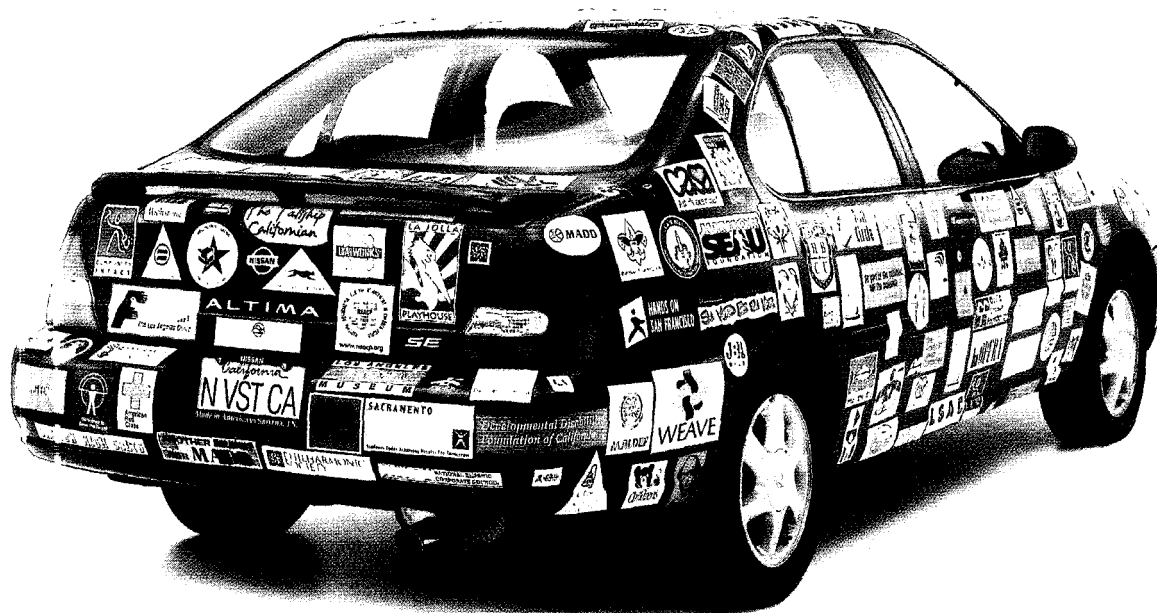
We each filed our piece of the story and, as sometimes happens, an editor wed them together in a fashion that was not only stylistically embarrassing but factually incorrect.

After reading the final product the next morning, I left a seething message on Susan's machine. "It's too complicated to explain on voice mail," I fumed, "but we've been screwed and we're going to have to run a correction."

Susan returned the call shortly. "That really chaps my buns," she hollered, repeating one of her favorite Texas phrases. Susan had not yet seen the paper, but she had read my tone of voice, like an analyst, and knew she ought to be outraged.

After five minutes on the phone with Susan, I was laughing. For God's sake, who cares about a few mistaken details in a policy story? Working with Susan was a joy. I miss her terribly. 🏠

Contributing Editor Marc Sandalow is Washington, D.C., bureau chief for the San Francisco Chronicle. Comments on this column may be e-mailed to editor@statenet.com.



EVERY NISSAN BUILT IN THE U.S. SUPPORTS MORE THAN JUST JOBS.*

At Nissan, our commitment to California goes beyond design, engineering, parts purchasing and sales operations that employ thousands of people throughout the state. Through our Nissan Neighbors philanthropy program, we also support hundreds of organizations dedicated to children, education, health care, the arts, cultural diversity and the environment. Groups that make a real difference in the neighborhoods we live in, work in or just drive through.



INVESTING IN CALIFORNIA
www.nissan-na.com

*Nissans are built in Tennessee and Ohio using domestic and imported parts.



Welcome to the "Toughest Beat In The State"

More than 2,000 correctional peace officers are assaulted inside California prisons every year — an average of five assaults a day.

It's part of a tough, dangerous job. And it's getting worse.

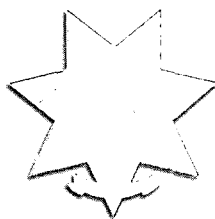
Two years ago, a female officer was beaten to death at a youth facility in Southern California. A 24-year-old ward serving time for rape and murder has been charged with her killing.

Unlike other law enforcement professionals, we walk among California's most violent felons every hour of every day, armed only with a whistle, our wits and a side-handle baton.

It's an explosive, brutal world where inmates routinely attack without provocation...fashion shanks, "bone crushers" and other killing weapons from scavenged metal, plastic and wood...and throw urine, blood and feces on officers in an assault known as "gassing."

We're California's correctional peace officers. We walk the toughest beat in the state.

Learn more about the dangers we face by calling Sharon Levesque at 916-658-2871 and asking for a free copy of our Emmy award-winning video "Behind the Wall," an unvarnished look at life inside California prisons.



California Correctional Peace Officers Association

755 Riverpoint Drive • West Sacramento, California 95605

LICENSED TO UNZ.ORG

ELECTRONIC REPRODUCTION PROHIBITED

Thanks to Kaiser Permanente and the AFL-CIO, there are now 55,000 new ways to enhance quality care.



That's because 55,000 union employees will have input in decision making, thanks to a unique partnership between Kaiser Permanente and the AFL-CIO. This agreement establishes an environment where physicians, managers and union employees work jointly on facility operations.

Together, union employees and management are designing patient-centered operations to continuously enhance our quality. They're even involved in the planning and operations of our two new California hospitals, opening later this year.

As the first partnership of its kind between a major health care provider and labor unions, this partnership made news. Now it's making history because it's furthering a shared commitment to quality care. And that benefits Kaiser Permanente members most of all.



KAISER PERMANENTE

HOW ARCO LED THE EFFORT TO MEET CALIFORNIA'S CLEAN AIR STANDARDS.

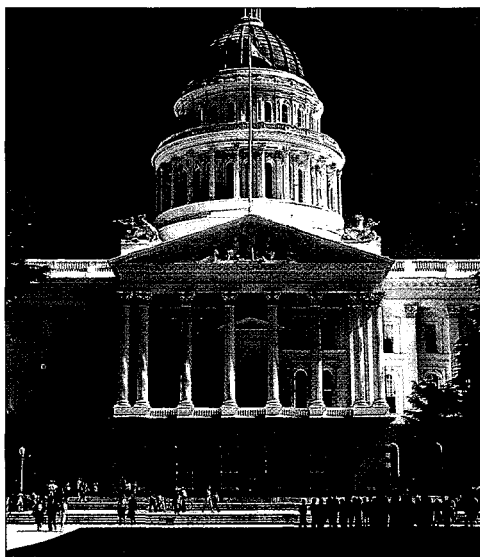
ARCO

Back in the late 80's the California state government agencies had a pretty good idea what they wanted to do to reduce air pollution: ban the use of gasoline in favor of alternative fuels and enact the toughest pollution standards the world had ever seen. But they hesitated, because no one was really sure if alternative fuels would work or what the cost might be. Meanwhile, ARCO was hard at work on a new kind of gasoline called EC-1, the world's lowest emission gasoline ever.



Arco's new formula showed how to reduce pollution from gasoline, while maintaining its performance.

EC-1 was so effective at reducing pollution, especially with pre-catalytic cars, it actually removed 100 million pounds of pollutants from the skies of



March, 1996: California enacted the toughest emission standards in the world. Partly because ARCO's reformulated gasoline proved they were possible.

California the first year it was in use.

But even more important, it showed California and the federal government that significant emission reductions could be achieved using conventional fuels thereby saving motorists millions of dollars they didn't have to spend replacing their existing cars.

ARCO, working with the California Air Resources Board and other stakeholders, helped to develop the model for the second generation of reformulated gasoline which is now used by every driver in California.

The impact on our air has been nothing less than remarkable.

Thanks to California's cleaner burning gasoline, more than 3 million pounds of pollutants a day are being

eliminated. About the same as taking 3.5 million cars off the road.

According to independent scientists, the air is the cleanest it's been in decades. In 1977, the South Coast Basin had 121 Stage I Smog Alerts. In 1997, they were reduced to only one.

Of course, there's a long way to go before we reach our clean air goals. In 1996, despite the 57% reduction in days exceeding the federal clean air standards for ozone, the South Coast Basin still experienced 90 days over the federal standard.

1977	1997
121 Stage I Smog Alerts.	1 Stage I Smog Alert.
208 days over federal ozone standard.	90* days over federal ozone standard.

Source: South Coast AQMD. *For 1996

But ARCO and other oil companies have proven that they can work together with the state, local air districts, auto manufacturers, environmentalists and other stakeholders to achieve the toughest air quality standards in the world.

Another reformulation that ARCO helped make happen.

Success is in the air.

Californians For Clean Air Progress

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED